

IMPLICATIONS OF A NUCLEAR AGREEMENT WITH IRAN (PART II)

HEARING BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED FOURTEENTH CONGRESS FIRST SESSION

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IMPLICATIONS OF A NUCLEAR AGREEMENT WITH IRAN (PART II)

TUESDAY, JULY 14, 2015

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Edward Royce (chairman of the committee) presiding.

Chairman ROYCE. This hearing will come to order.

Today, the committee continues to examine the Obama administration's nuclear diplomacy with Iran. We thank our witnesses for joining us this morning.

The administration, of course, has just announced a hugely consequential agreement. In testimony before this committee, Secretary Kerry told us these negotiations would be used to dismantle Iran's nuclear program. That was the goal. Instead, this agreement allows Iran to retain a vast enrichment capacity, to continue its research and development and, gain an industrialized nuclear program once key provisions of this agreement begin to expire in as little as 10 years. The President told us that Iran does not "need to have an underground, fortified facility like Fordow in order to have a peaceful nuclear program." Yet, this military complex will now stay open.

While Obama administration officials first told us that Iran's missile program would have "to be addressed" as part of a final agreement, they failed to mention that "addressing" the program means taking restrictions off—we are talking here about the I.C.B.M. program that Iran has—taking those off in just 8 years. As Secretary of Defense Carter testified just last week, "The reason that we want to stop Iran from having an I.C.B.M. program is that the 'I' in I.C.B.M. stands for 'intercontinental,' which means having the capability of flying from Iran to the United States." And as we know, countries build I.C.B.M.s for one reason—to deliver weapons. And recently in this negotiation—at the very end of the negotiation this is what Russia and Iran pushed for—the ability for Russia to transfer this technology—this is what Russia would like to do—transfer this technology to the regime.

At that same hearing, our top military official gave his best military advice: "Under no circumstances should we relieve the pressure on Iran" when it comes to the arms embargo—but that comes off in just 5 years.

On the critical issue of inspections, just a few months ago Secretary of Energy Moniz said that “We expect to have anywhere, anytime access.” But “anywhere, anytime” has weakened to something called “managed access.” “Managed access,” more accurately, should be called “manipulated access” as any process with Russia, China and Iran at the table will be treated exactly that way. It will be managed. It will be manipulated. The inspection regime will be manipulated by those with something to hide and this has been the past experience with Iran that has cheated on every agreement so far.

We might feel better if the United States was able to permanently constrain Iran’s worrying nuclear program. But the key restriction—the ability to enrich at high levels—begins to expire in as little as 10 years. That is 10 years. Most Americans will take three times longer to pay off their mortgage. Ten years from now.

Once these restrictions expire, Iran could enrich on an industrial scale—claiming the desire to sell enriched uranium on the international market, as France does. Iran could also enrich uranium to levels near weapons grade—claiming the desire to power a nuclear navy, as Brazil is doing. All these activities are permissible under the NPT and all would be endorsed by this agreement. Indeed, the President himself—President Obama said of his own agreement, “In year ’13, ’14, ’15, Iran’s breakout times would have shrunk almost down to zero.”

As a result, the U.S. and its allies will be left with no effective measures to prevent Iran from initiating an accelerated nuclear program to produce the materials needed for a nuclear weapon. And Iran surely would be able to speed toward a nuclear weapon faster than an international sanctions regime could be placed and reestablished on that regime. One nonproliferation expert told the committee last week that this sunset clause is, in his words, “a disaster.”

The essence of this agreement is permanent concessions in exchange for temporary benefits, and that is only if Iran doesn’t cheat, like it has in the past and like North Korea cheated. As one witness described to the committee last week, the deal “is in many ways a bet. . . . The bet that the administration is taking is that in 10 or 15 years we will have a kinder, gentler Iran.”

Just a few days ago, Iranian President Rouhani joined a crowd—a crowd, which if you followed the piece in the New York Times, chanting “Death to America.” This was their Quds Day rally on the weekend and the posters read “Death to Zionism.” And as Rouhani was walking, this reporter asked the question about the nuclear negotiations and President Rouhani said, “The future is bright” as people behind him were chanting, “Death to America. Death to America.” So President Obama has decided to place all his chips on the fact that the “Death to America” chants will soon disappear. This committee has to ask itself whether we are willing to roll the dice, too.

I will now turn to our ranking member for any opening comments he may have.

Mr. DEUTCH. Thank you, Chairman Royce. I appreciate the chairman’s continued focus on making sure that this committee

gets the opportunity to thoroughly discuss and debate the merits of this newly announced agreement with Iran.

I know once the final deal is submitted to Congress the chairman and ranking member will move quickly to set up briefings and hearings as we move forward toward a vote on the deal.

In the 18 months since the P5+1 began negotiating with Iran in an effort to prevent it from acquiring nuclear weapons we have had a lot of discussions about centrifuges and stockpiles and breakout times and we now know basically what an agreement looks like in terms of infrastructure.

But we still await details as to exactly what kind of access IAEA investigators will get, how potential violations will be dealt with, how the so-called “snap back” mechanism will work and what a new U.S. Security Council resolution will look like.

Secretary Kerry and his team have spent an enormous amount of time and energy on these negotiations, and I applaud their commitment to diplomacy and I appreciate their ability to negotiate significant limitations on enrichment and nuclear stockpiles.

I hesitate to speculate on the deal as a whole until we receive all of the details. I do have some serious concerns, however, about various aspects of the deal which were extensively reported from Vienna this week.

In particular, one, Iran needs to come clean on its past nuclear activities, two, its access to all suspected nuclear sites, three, the timing of sanctions relief and the impact on the region, and four, ensuring that an arms embargo remains in place to prevent the spread of weapons to terrorists.

First, along with most of my colleagues I’ve been very clear from the outset that Iran must come clean on its past nuclear weapons work, a demand repeatedly made by the administration.

Yet, as has been the case for years, Iran has been unwilling throughout these negotiations to cooperate with the IAEA on its parallel investigation into the possible military dimensions of its program.

Iran’s intransigence has made it difficult for many of us to imagine how we could expect Iran to comply with the terms of a deal. If they stonewalled the IAEA for a decade will they continue to find ways to do so under the comprehensive deal or will a deal make that impossible?

This is why upholding the integrity of the IAEA’s PMD investigation is so vital right now. So I will await details as to exactly what the new roadmap signed by Iran and the IAEA will entail.

Further, I am concerned about access. We are told this agreement is not based on trust. It is based on transparency and verification. So I wait to see in greater detail how the final agreement deals with resolving IAEA access to suspected sites.

Will we have the access we need or will Iran be able to block inspectors? If media reports are correct and one visit to Parchin is granted, will that be enough to gather the information needed?

How far have we strayed from the anytime, anywhere inspections that the experts had said should be part of any deal?

Third, I remain concerned about the timing and implications of sanctions relief. How extensive are the nuclear-related steps that Iran has to take in order to receive relief?

How will stonewalling or suspected cheating on its commitments be dealt with and will Iran have access to its frozen assets, well over \$100 billion, all at once and by what date?

And where does the money go? I know that this was touched on last week in Part I of this hearing. Iran's behavior is not going to change as part of this agreement. That is something that has been acknowledged.

In fact, Iran's support for nefarious regional actors and designated terrorist organizations has the potential to grow under any deal, and while it is true that some of the sanctions relief will have to go toward fixing domestic economic problems one can imagine the havoc that Iran's terror proxies could wreak with even \$1 billion more. This needs to be something that we understand better.

And that brings me to my fourth and perhaps most troubling concern, which emerged as a sticking point in the final days of negotiations—the lifting of the U.N. arms embargo.

Now, I understand that international sanctions are intertwined and they are complex, and I understand that there is a current disagreement among the P5+1 and Iran as to what constitutes a nuclear sanction.

But it is extraordinarily difficult to imagine that the U.N. Security Council resolution that will result from the comprehensive agreement will not continue the existing restrictions on Iran's ability to export dangerous and military hardware to its terror proxies for many years to come.

Quite frankly, the apparent resolution of this issue in some ways is baffling to me. Why do we believe that Iran's dangerous support for terror groups will change in 5 years or that its desire for ballistic missile technology will wane in 8 years?

From the beginning, the administration has said that it is dealing with the nuclear issue separate from our other issues with this regime, whether meddling in neighboring countries, its holding of American citizens or its sponsorship of terrorism, which will be dramatically more dangerous when the arms embargo is lifted.

And finally, I want to again raise the issue of the four American citizens held or missing in Iran. Jason Rezaian, Saeed Abedini, Amir Hekmati and my constituent, Robert Levinson, the longest-held American in history.

Regardless of what transpired in Vienna this week, Iran must know that the United States will never stop working for the release of our citizens.

I applaud and I thank the committee for its commitment to seeing these innocent Americans returned to their families.

I appreciate the efforts of our negotiators to raise the issue, and members of this committee and all Members of Congress should have these Americans in their thoughts as they review the terms of this agreement.

So, Mr. Chairman, I look forward to receiving the details this week so that members can begin to evaluate its merits.

The agreement can't just be judged on what would happen in the absence of a deal today or tomorrow or 60 days from now. It must also be analyzed by what will happen under an agreement in 5 years, in 8 years, in 10 years and beyond.

The measure of this deal will be whether the national security interests of our nation and that of our allies will be strengthened for decades to come.

I look forward to a meaningful discussion and analysis of these issues in the days and weeks ahead and I yield back.

Thank you, Mr. Chairman.

Chairman ROYCE. Thank you, Mr. Deutch.

This morning we are pleased to be joined by a distinguished panel. Senator Lieberman represented Connecticut for 24 years. He was chairman of the Homeland Security and Governmental Affairs Committee.

He is currently the co-chair of the Iran Task Force at the Foundation for the Defense of Democracies and he is senior counsel at the firm Kasowitz Benson Torres & Friedman in New York.

General Michael Hayden is the former director of the Central Intelligence Agency. Previously, General Hayden served in multiple and other leadership positions including as the director of the National Security Agency and principal deputy director of national intelligence.

Ambassador Nick Burns is the Roy and Barbara Goodman Family professor of diplomacy and international relations at the Harvard Kennedy School of Government.

He served in the United States Foreign Service for 27 years, during which time he served as the Under Secretary of State for Political Affairs and the Ambassador to multiple posts.

Dr. Ray Takeyh is senior fellow at the Council on Foreign Relations. He was previously a senior advisor on Iran at the State Department. He has authored two books on Iran.

So without objection, the witnesses' full prepared statements will be made part of the record. Members here will have 5 calendar days to submit statements and questions and any extraneous material that you might have for the record.

And we will begin with Senator Lieberman, if you would like to summarize, and we will go to questions after your opening testimony.

STATEMENT OF THE HONORABLE JOSEPH I. LIEBERMAN, CO-CHAIR, IRAN TASK FORCE, LEADERSHIP COUNCIL, FOUNDATION FOR THE DEFENSE OF DEMOCRACIES (FORMER UNITED STATES SENATOR)

Mr. LIEBERMAN. Thanks very much, Chairman Royce, Congressman Deutch and members of the committee. I am grateful for the opportunity to testify before you today at a really critical time.

The negotiation between Iran and the P5+1 has now produced an agreement, which will come before you shortly. Each of you will have to decide whether to endorse or reject it.

I, personally, looking back at my 24 years of service in Congress, cannot think of a more consequential vote that each of you will cast in Congress for the future security of the United States and, indeed, the security of the world. And I cannot think of a better committee to lead the House of Representatives in its review of the proposed agreement with Iran because this committee, under the leadership of Chairman Royce, Ranking Member Engel and today, Congressman Deutch, has built a really strong record of non-

partisanship, repeatedly putting the interest of America ahead of the interest of either political party.

If there was ever a time for that kind of nonpartisan leadership it is now on this agreement.

The fact is, Chairman Royce, Congressman Deutch, your opening statements give me confidence that is exactly the way you will go at this.

Mr. Chairman, I want first, before I get to my reaction to what happened today, to thank President Obama, Secretary Kerry, Secretary Moniz and other staff for the extraordinary effort they put into these negotiations.

You will hear in a moment that I have very serious questions about the agreement that these negotiations have produced. But I have no questions about the sincerity and good motivation of the administration in pursuing the negotiations.

In the time I have had since the agreement was announced a few hours ago, and based on the framework agreement that came out in Lausanne in April, I have reached the conclusion which is that there is much more risk for America and reward for Iran than should be in this agreement. It is not the good deal with Iran that we all wanted. Let me explain why I reached that conclusion based on what I know now.

I was a member of the United States Senate when the first sanctions legislation for Iran was passed nearly 20 years ago. I am privileged to play a role in the drafting and passage of every subsequent sanctions bill.

Each of these measures was adopted by overwhelming bipartisan majorities in the House and Senate. In each case, Democrats and Republicans in Congress came together, despite resistance and outright opposition from the executive branch, regardless of which party controlled the executive branch at the time.

There is no question in my mind that when we united across party lines in Congress to pass these sanctions bills, it was with a clear and simple purpose—to prevent Iran, the number-one state sponsor of terrorism in the world—from ever possessing a nuclear weapons capability.

In fact, key provisions of the legislation we adopted explicitly stated this goal. Mr. Chairman, Congressman Deutch, members of the committee, this is not what the agreement announced today does.

In fact, what began as an admirable diplomatic effort to prevent Iran from developing a nuclear weapons capability dissolved into a bilateral negotiation over the scope of that capability.

The agreement announced today temporarily delays but ultimately allows Iran to become a nuclear weapons state and, indeed, legitimizes Iran's possession of the nuclear capabilities that it has built up, much of it covertly, in violation of international law and in breach of its obligations under the Nonproliferation treaty.

Mr. Chairman, this is precisely the outcome that for years we in Congress fought to prevent. This is precisely what we enacted legislative bipartisan sanctions to stop and this is the biggest reason why I respectfully, based on what I know today, ask you to vote against this proposed agreement.

For under it, Iran will be granted permanent and total relief from nuclear sanctions in exchange for temporary and partial limitations on its nuclear projects.

That is the essence of why I believe this is a bad deal for America, a bad deal for Iran's neighbors in the Middle East, and a bad deal for the world.

The rabidly anti-American, anti-Israel, anti-Sunni Muslim Islamic Republic of Iran will have nuclear weapons. This agreement, if approved, takes Iran's nuclearization, which previously had been unacceptable, and makes it inevitable.

Mr. Chairman, you have talked about the bet here, Congressman Deutch also, that this agreement will moderate the regime in Iran. This is a bet not based on fact. In fact, it is a bet based on hope over experience we have had with Iran.

We have to judge this country not just by what its representatives in the negotiation have said but, really, more by what its government has done and is doing.

In the months and years since negotiations begin with Iran, while its Foreign Minister has been negotiating with the P5+1 and, I might say, charming the international media, the regime in Tehran has continued to build up its nuclear weapons capabilities, expanded support of radical proxies that threaten its Sunni Arab neighbors and Israel, improved its intercontinental ballistic missile capacity so its weapons one day reach Europe and the United States, and spewed out the most vile and violent rhetoric toward America, Israel, Britain and, lately, Saudi Arabia.

The rhetoric would be bad enough, but the Iranian Government has acted on that rhetoric, sponsoring repeated terrorist attacks that have killed Americans and Israelis, Arabs, Muslims, Christians and Jews, from Argentina to Iraq, from Saudi Arabia to Syria and a lot of places in between.

You mentioned the rally, Mr. Chairman, in Tehran last week. I would only add that around the same time the editor of the Tehran newspaper, Kayhan, who was selected by Iran's Supreme Leader and is assumed to reflect his views, wrote that the United States "which currently terrorizes humanity as the sole superpower will one fine day cease to be visible on the map of the world." How can we have any confidence in an agreement made with such a government?

The answer is it is hard, in any case, but the only way we can have confidence is if the inspections and verification provisions of the agreement are airtight.

And this is based on the history of Iran deceiving and delaying the International Atomic Energy Agency, claiming that its inspectors are spies and it is a tool of the United States, even though, as we all know, it is actually an agency of the United Nations.

On first look, the inspections provisions in the agreement announced today fall far short, dangerously short, of the anywhere, anytime access that is needed to have confidence that this deal with the Iranian regime will actually be behaved.

President Obama this morning used the term to describe the inspections "where necessary, when necessary." That is a long way from anywhere, anytime.

The specific language of the agreement, which I have just gone over this morning, creates a process that can go on for at least 2 weeks of negotiation with Iran when the IAEA thinks it has reason to inspect something going on and then has an appeal process to a higher board.

The IAEA, in other words, will have to negotiate with Iran to gain access for its inspectors, even though Iran has a consistent record of refusing timely and reliable access to international monitors in the past.

Mr. Chairman, in summing up—distinguished members of the committee—in the days and weeks ahead you will review this agreement in detail. You will hear different opinions about it and its implications.

Based on what I know now, I have personally concluded that the agreement falls far short of what is needed, which is an agreement that reliably and permanently ends Iran's nuclear weapons capability in return for an end to the economic sanctions against Iran based on its nuclear program.

I know there will be some who will try to convince Members of Congress that if Congress rejects this deal the result will be catastrophic.

Some may try to intimidate and demonize critics of the agreement by arguing that a vote against this deal is a vote for war.

Those are false arguments and I urge you to reject them, and I cite as evidence that the most powerful measure Congress ever adopted against Iran, effectively barring its sale of oil to international markets, was undertaken despite explicit warnings from administration officials at the time that it would collapse the global economy.

In fact, it opened the door to diplomacy that previously had proven impossible. In today's context, rejecting this bad deal will not result in war or the collapse of diplomacy. It will give the administration a new opportunity to pursue a better deal.

I will say, as a former Member of Congress, I know how difficult the following weeks will be for you. You will be pushed and pulled by supporters and opponents of this agreement.

All I can say, and you all know it already, in the end the best you can do is decide in the privacy of your own conscience what you believe is best for the security of the American people, including, of course, your constituents.

Because this is a decision you and we will live with for the rest of our lives. This is a vote whose consequences will reverberate in the lives of our children, grandchildren and beyond.

I thank you, Mr. Chairman, and I look forward to your questions.

[Mr. Lieberman's prepared statement, submitted after the hearing, can be found in the appendix.]

Chairman ROYCE. Thank you, Senator.

General Hayden.

STATEMENT OF GENERAL MICHAEL V. HAYDEN, USAF, RETIRED, PRINCIPAL, CHERTOFF GROUP (FORMER DIRECTOR, CENTRAL INTELLIGENCE AGENCY)

General HAYDEN. Thank you, Mr. Chairman, Mr. Deutch, other members, for the opportunity to be here today to discuss such an

important topic and, really, thank you for allowing me to be in the company of such distinguished witnesses.

Mr. Chairman, when I was at the agency Iran was the second-most discussed topic in the Oval Office, behind only terrorism. We discussed a variety of aspects of the Iranian issue, of course.

The Iranian nuclear program was a central issue. But I mention that to remind us all that as important as the Iranian nuclear question is, it is part of a larger piece. To paraphrase Mr. Kissinger, Iran still has to decide whether or not it is a country or a cause.

We have been negotiating for the past 1½ years on the premise that it wants to be a country. But Iran's actions suggest that it still considers itself a cause—a revolutionary power whose identity, in fact, maybe even its domestic survival has to be drawn from a narrative of unrelenting hostility between itself as the legitimate agent of Shi'a Islam in the rest of the world.

Now, we put all those other issues aside 2 years ago when we decided to isolate and focus on Iran's nuclear ambitions. I get that. I understand that decision. Diplomacy is the art of the possible, not the art of the ideal.

During the Bush administration, we too focused on Iran's nuclear efforts but we need to understand that nuclear focus doesn't make those other realities go away and that even if we get to a successful conclusion of nuclear negotiations, those other issues remain and, indeed, there is a possibility that the nuclear result will make those other issues even more difficult to deal with.

To oversimplify just a little bit, the issue is not just Iran's nuclear program. The issue is Iran, and we need to be careful that our efforts to resolve this issue doesn't worsen the other dimensions of the problem.

Now, let me focus on the nuclear portfolio per se. If I were here with a butcher paper or something and drawing a PERT chart as to how do you get from here to there, with there being a nuclear weapon on the part of the Iranians, I would have three critical paths.

One path would be delivery vehicles—the Iranian ballistic missile program. Another path would be weaponization—that is, making a device small enough, rugged enough and confident and reliable enough that you would have put it in a nose cone. And then the third path is fissile material—the things you need to actually have a bomb.

We have chosen to bet the farm on blocking one path. We have chosen to bet our future here on blocking the path toward the creation of fissile material. The other two paths—ballistic missile delivery systems and weaponization—are effectively off the table.

And even here in this one path—fissile material—I think we have really reduced our margin for error.

Mr. Deutch, Mr. Chairman, Senator Lieberman have already mentioned when this all began Secretary Kerry was claiming that we had not conceded the right of enrichment to the Iranians and, of course, we had and that was the premise—the price we paid to get the Iranians to the negotiating table.

Let me just point out, too, that the Iranians claim they need this nuclear program for the eventual production of electricity. Now,

coming from a nation so rich in fossil fuels I think we have a right to question that.

But let me not question that. Let me concede that. Even conceding that point does not create a prima facie case for Iran to be able to or to be allowed to enrich uranium.

Today, there are 20 countries around the world that rely on nuclear power that do not produce their own fissile material.

To drive home this point, we have put considerable pressure on a responsible and trusted government in South Korea not to do what this nuclear agreement allows the Iranians to do.

Similarly, Mr. Chairman, as you have already mentioned, the President said that Iran didn't need the heavy water reactor at Arak, the buried facility at Fordow, for a peaceful nuclear program.

And although the agreement suggests these facilities have been modified, we need to see the fine print that continue to exist.

Overall, the Iranians get to keep 5,000 centrifuges of an older type at Natanz, which the administration says is part of a package that always keeps them 12 months away from having enough fissile material for a weapon.

I am concerned about how much R & D—research and development—the Iranians will be able to do on centrifuge technology. We all have to look at the fine print of the agreement.

But the last public announcement by our side has been the phrase “limited R & D,” which could mean an awful lot of things to many people.

I am also concerned about our failure to demand an accurate accounting of the possible military dimensions of the Iranian program.

Mr. Chairman, this really has special significance. It is not just what they may have done in the past to position themselves with regard to weaponization. The Iranians have been stiffing the IAEA for years on this issue and now we are going to rely on the IAEA for verification of this new agreement after seemingly having taught the Iranians that if you stiff these guys enough the requirement to concede will go away.

Given past Iranian behavior and deception, will the agency be able to conduct anywhere, anytime inspections? That is always a concern and already has been well handled.

I know we have to look at the fine print to see what managed inspections are like, Mr. Chairman. But let me give you a way that I have begun to think about this.

Inspections should have been at the technical level. Inspections should have been driven by an IAEA decision that this international body had a technical reason for visiting Facility A, B or C.

The managed inspection program puts that decision at the political level and I just don't see a happy outcome that would evolve out of that kind of arrangement.

There is an awful lot to talk about, Mr. Chairman. I don't want to belabor all these issues, some of which have already been raised. But I do want to bring up one point.

In discussing the new agreement, many have tried to bring in the pattern of inspections that we agreed with the Soviets under the START treaty and the SALT treaty.

One of the administration's officials said that we don't insist on being able to get into every military site because the United States of America wouldn't allow anybody to get into every site. That is just not appropriate.

Mr. Chairman, that suggests an equivalency here—the kind of equivalency we did have with the Soviets because, after all, we were entering into a voluntary arms control agreement with them.

This is Iran trying to get out of the penalty box for violating multiple U.N. Security Council resolutions. This isn't a neutral playing field. The burden of proof should be on the Iranians that they are adhering to an agreement, not on us to prove that they are not.

So, again, as I said, inspections, managed looks at the political level, not wise, and this sense of equivalency I don't think is an accurate reflection of what is really going on here.

Thank you, Mr. Chairman.

[The prepared statement of General Hayden follows:]

Statement for the Record
General Michael V. Hayden (USAF, retired)
House Foreign Affairs Committee
14 July 2015

Thank you, Mr. Chairman, Ranking Member Engel and members of the Committee, for the opportunity to be here today to discuss such an important topic, the draft nuclear agreement with the Islamic Republic of Iran.

And thank you for the opportunity to be here with such distinguished witnesses.

Mr. Chairman, while I was in government and director of the CIA, Iran was the second most discussed topic in the oval office behind only terrorism. We discussed many aspects of the Iranian problem, but of course the Iranian nuclear program was a central issue.

I mention that to remind us all, that as important as the Iranian nuclear question is, it is part of a larger piece. To paraphrase Henry Kissinger, Iran still has to decide whether or not it is a country or cause. We have been negotiating for the past year and a half on the premise that it wants to be a country, but Iran's actions in Syria, Yemen, Iraq and elsewhere suggest that it still considers itself a cause, a revolutionary power whose identity is drawn from a narrative of unrelenting hostility between itself as the legitimate agent of Shia Islam and the rest of the world.

Iran is arguably the largest state supporter of terrorism in the world. Its proxy, Hezbollah, is helping to keep the regime of Bashar al Assad in power in Syria and, as recently as 2006, engaged in a major war with Israel. Iran is seeking regional hegemony, has supported Palestinian terrorism and has also worked to destabilize Iraq. I reported to National Security Advisor Steve Hadley in 2007 that it was the policy of the Iranian government, approved at the highest levels of that government, to facilitate the killing of American and other coalition soldiers in Iraq. More recently Iran has fostered and supported Shia domination in Iraq, a pattern of behavior that has caused Sunni alienation and facilitated the rise of ISIS.

We put these issues aside nearly 2 years ago when we decided to isolate and focus on Iran's nuclear ambitions. I understand that decision. During the Bush administration we too focused on Iran's nuclear efforts. But we need to understand that our nuclear focus does not make these other realities go away and that, even with a successful conclusion to the nuclear negotiations, these issues will remain. Indeed, there is the possibility that successful negotiations will make them worse.

To oversimplify a bit, the issue is not just Iran's nuclear program. The issue is Iran. And we need to be careful that our efforts to resolve the nuclear issue do not worsen these other dimensions of the problem.

Now let me focus on the nuclear portfolio, per se. If I were to draw a PERT chart (a management tool that shows the critical path of tasks that must be followed to complete a project) of the Iranian nuclear program, I would outline three critical paths. The first would be delivery systems, things like medium and long-range ballistic missiles that could be used to carry a nuclear device. The second is what we call weaponization, making a nuclear device small enough, rugged enough and reliable enough that one could put it into the nose cone of a ballistic missile. The third path is creating enough fissile material to actually construct a weapon.

We have chosen to bet the farm on blocking the third critical path, that is, the creation of fissile material.

With regard to delivery systems, although our senior negotiator Secretary Sherman at one time said they had to be on the table, the Iranians refused to speak of them and we did not insist that they do so.

With regard to weaponization, the American intelligence community declared that Iran had stopped such work around 2003. I believe that that is still the estimate of the intelligence community, although Iran has conducted activity that could be described as ambiguous and dual purposed in the last 10 years. We, of course, do not have total knowledge of how much progress the Iranians had made. That's why the IAEA has asked Iran a dozen questions about what we are now calling the "possible military dimensions" of the Iranian nuclear program.

Iran has given a partial answer to only one of the twelve questions and it had been American policy that Iran must come clean about its past activities. So I was stunned about a month ago when Sec. Kerry declared that we had "absolute knowledge" of their weaponization effort and that we need not overly focus on the past. I know of no American intelligence officer who would claim that we have "absolute knowledge" of the Iranian weaponization program.

We did not get such knowledge before the announcement yesterday and, frankly, I am convinced that we will *not* get such knowledge even after an agreement. Were the Iranians to agree to this, it would uncover evidence that they have consistently lied in the past.

So we have deferred to Iranian demands with regard to two of the three critical paths towards a usable nuclear weapon: delivery systems and weaponization. As I said earlier, we are betting the farm on blocking the one remaining path: the creation of sufficient fissile material.

Even here, we have reduced our margin for error. When negotiations with Iran began, Secretary Kerry claimed that we had not conceded the right of enrichment to the Iranians. Of course, that was nonsense. The right of enrichment was the price we paid to get the Iranians to the negotiating table.

I should add that the Iranians claim that they need their robust nuclear program for the eventual production of electricity. Coming from a nation so rich in fossil fuels, that claim bears some scrutiny. But even conceding that point does not create a case for Iran to be able or to be allowed to enrich uranium. Today there are nearly 20 countries that rely on nuclear power that do not produce their own fissile material. To drive home this point, we have put considerable political pressure on a responsible and trusted government in South Korea not to do what the draft nuclear agreement allows the Iranians to do.

Similarly, at the start of the negotiations President Obama clearly stated that Iran did not need the heavy water reactor at Arak nor the centrifuge facility buried under a mountain near Qom as part of a peaceful nuclear program. Both facilities will continue to exist. The reactor at ARAK will be modified, although the details of this have not yet been made clear. The hardened facility at Qom, impervious to all but the most modern and massive of munitions, will also continue and have within it about 1000 centrifuges that will be used to enrich material (not including uranium). But this super-hardened facility will remain active.

Overall, the Iranians will also get to keep 5000 centrifuges of an older type at Natanz, which (along with other provisions) the administration calculates will keep the Iranians at least 12 months away from having enough fissile material for a nuclear weapon.

It is still unclear, however, how much research and development the Iranians will be able to conduct on centrifuge technology. The most recent phrase has been "limited" R&D, which could mean many things to many people.

As I said earlier, we've reduced our margin for error considerably. We are not discussing with the Iranians any aspects of their behavior other than the nuclear program. Within the nuclear program, we're not discussing ballistic missiles or past weaponization efforts, only the enrichment cycle.

That puts an incredibly high premium on our ability to limit and monitor the production of highly enriched uranium. There are questions that cannot be papered over with vague or diplomatic language, phrases like creative solutions or dispute resolution processes. Any agreement has to be clear, and ambiguous and—dare I say--agreed.

As I just suggested, we need to ask what truly are the limits in the agreement on Iranian research and development over the next decade and beyond.

Then, are we truly not going to demand an accurate accounting of the possible military dimensions of the Iranian program? This issue has special meaning because the Iranians have been stalling the IAEA on this for years, and the IAEA is the very agency we will rely on to verify future compliance. It is an odd agreement, indeed, that seems to teach one party that it can successfully resist inspection.

Given past Iranian behavior and deception, will the IAEA be able to conduct anywhere, anytime inspections? Again, this is an item of special significance since we never believed that the uranium at Iran's declared facilities would ever make its way into a weapon. We always believed that *that* work would be done somewhere in secret, so the IAEA needs to be able to go to suspect locations, including military sites.

A few weeks ago an Administration official said that we weren't asking the to "be able to get into every military site, because the United States of America wouldn't allow anybody to get into every military site, so that's not appropriate."

True enough, but the official's remarks suggest an equivalency that just does not exist here. Please do not let anyone portray the inspection regime as something comparable, say, to what we agreed with the Soviets in one of our many arms control treaties. That was an agreement mutually entered into by equals.

What we're talking about here is an Iran directed by multiple Security Council resolutions to suspend its enrichment program because of legitimate concerns the program was for military purposes. The burden of proof here is on Iran to prove otherwise so that these internationally agreed sanctions could be lifted.

Additionally, it will be fair to ask if sanctions imposed on the Iranians for other activities like support to terrorism will also be lifted as the Iranians have been insisting? Will international embargoes on conventional weapons continue? What about international sanctions designed to block Iran's development of ballistic missiles?

Will Iran, Russia or China have a veto on re-imposing sanctions or, much the same thing, be able to tie up the process so long as to make reimposition of sanctions meaningless?

Mister Chairman, the fine print here really matters.

As I said before, we have eliminated our margin for error. There is no more room to give.

Chairman ROYCE. Thank you, General Hayden.
Ambassador Burns.

STATEMENT OF THE HONORABLE R. NICHOLAS BURNS, ROY AND BARBARA GOODMAN FAMILY PROFESSOR OF DIPLOMACY AND INTERNATIONAL RELATIONS, BELFER CENTER FOR SCIENCE AND INTERNATIONAL AFFAIRS, JOHN F. KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY (FORMER UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE)

Mr. BURNS. Thank you, Mr. Chairman, Congressman Deutch, members of the committee. Thank you for the invitation to be here and I am here with friends and people I respect very much.

Mr. Chairman, I think we all start from the presumption, all of us who have looked at this issue for a long, long time, that it is in the national security interests of the United States to deny Iran a nuclear weapon.

Both President Bush and President Obama have taken the position they will use any means at our disposal including military means to accomplish that.

Now, the route taken by both the Bush and Obama administrations doesn't start there. The Bush administration sought negotiations with Iran. Iran turned us down. That led us to sanctions.

The Obama administration, with the help of the Congress and, I would say, the leadership of the Congress pushed stronger sanctions that really made a difference on the Iranians.

The Obama administration has now come back with a negotiated agreement for your consideration. I would say two things about it.

This is among, I think, the most difficult, complex agreement that any of us can hope to judge. It is filled with very painful trade-offs. There are risks in acting and following this agreement and there are risks in not acting, and I certainly agree with Senator Lieberman.

From my perspective, this will be one of the most consequential and important votes that any of the members take in your time of office.

I was just trying to think this morning about our diplomatic history. You might have to go back to the League of Nations vote in 1920 for an agreement where Congress is going to play such a central and directing role as to whether we go forward or whether we don't go forward.

I worked on Iran policy for President Bush and Secretary Rice for 3 years as Under Secretary of State. I helped to sanction Iran. I believe we have got to contain their threat in the Middle East and we have to stop them.

But I also believe that President Obama's policy is worthy of our—of your support. I am going to support it because I think it is the best alternative.

If I could have designed a perfect alternative it would be a 100 to 0 victory for the United States and the submission of Iran.

That alternative is not available to the United States, and whether we oppose it or whether we support it we have got to think in the real world about what the alternatives have been.

Here is the alternative that President Obama and Secretary Kerry have followed. They think that this agreement will effectively freeze Iran's nuclear program for the next decade.

It will deny it a nuclear weapon because it won't have the fissile material that Mike Hayden talked about—General Hayden—for the next decade.

It closes out the route toward fissile material. Iraq's—excuse me, Iran's plutonium reactor at Arak will be effectively put offline. The core will be dismantled.

The spent fuel will be taken out of the country. They won't be able to develop a nuclear weapon through plutonium.

The enrichment program at Fordow and at Natanz—Fordow will be closed completely. Natanz, of course, they will still have 5,000 to 6,000 centrifuges but of a lower power than the advanced centrifuges for the next 10 years.

But their store of enriched uranium will be at 3.67 percent at 300 kilograms. Their store of uranium will not be weapons grade. They will not have the weapons grade uranium to make a nuclear device because of the restrictions at the Natanz plant.

Right now, the Obama administration has said publically that Iran may be 2 to 3 months away from a nuclear weapon.

With this deal, and there is really no dispute about this, for the next 10 years as their program is frozen, Iran will be a year away from a nuclear weapon.

So I think the administration can make a case, whether you agree with them or not on the ultimate deal, that the program is going to be frozen—the plutonium and uranium enrichment programs and that, I think, is a very important attribute of this deal.

Second, Iran will now be subjected to inspections that it has never been subjected to before 25 years under the additional protocol of IAEA inspections.

Third, should Iran cheat—I assume they will try, given their past record where they have lied to us, to the United Nations in the past—then we have the ability to reimpose sanctions—Congress would.

The United States would have the opportunity—any future President—to form a coalition much like the present coalition to sanction them.

Fourth, this does give the United States a chance to resolve this problem diplomatically, peacefully through a tough-minded negotiation. I don't say that lightly because I am someone who believes that we should keep the threat of force on the table and that any American President would be justified using it if we felt Iran was close to breakout, close to a nuclear weapon.

But we are not at that point. No one anywhere in the world is contesting that the Iranians are close to a nuclear weapon and so the use of force is right now not pertinent to this discussion, although it is an option for us in the future.

If we have a chance to avoid a third major conflict in the Middle East since 9/11 and if we can stop Iran in the process I think that is a good course for the United States.

But, Mr. Chairman, let me tell you, I don't think this is a perfect deal and I have had trouble as a private citizen trying to weigh the risks on both sides and weigh the pros and cons.

If I were a member, I would want to focus on some of the questions that Senator Lieberman and General Hayden have already focused on because I agree with their skepticism.

I would want to look at the fact that the program—Iran's program will be suspended and frozen, in effect, in mothballs for 10 years. But when that 10 years is over the superstructure of the program will be intact.

Iran would have the theoretical right to build back up a plutonium or uranium route to a nuclear weapon. That is a weakness of this agreement. That is a tradeoff.

This was a real-world negotiation where we received some benefit—the freezing of their program for 10 years—but that program is not being entirely dismantled and we have to understand that.

Second, I think it is important that the IAEA has 25 years—will have 25 years of insight into Iran's program. But will they have a clear line of sight? Will they have unfettered access?

What, in practice, does managed access to a nuclear plant mean? I think it means that Iran is going to write some of the rules about how its plants are inspected and, certainly, questions have to be asked about that as well as about military dimensions.

Third, would we actually be able to reimpose sanctions should Iran cheat or fundamentally violate the agreement? None of us know because we are talking about a hypothetical situation some years, perhaps, into the future.

But it would require a tough-minded American President, whom ever we elect in 2016. It would require us to assemble a coalition that took 10 years to build.

I think the Europeans will be with us. I wonder if the Russians and Chinese will. So as I look at this honestly, these are real tradeoffs.

This is not a perfectly designed agreement. We had to compromise and we had to give and that is where, as General Hayden has described and I agree with him, that is where we made the compromises.

But, Mr. Chairman, I would say this. I think the only way to look at this is not what is the ideal solution, because the ideal solution is not available to us. Is this the best alternative—President Obama and Secretary Kerry's route.

I can think of two other alternatives. One, which a lot of people have talked about, is should we have just walked away. Should Secretary Kerry, as our lead negotiator, simply said this is not good enough? Should he have left the negotiations? Should he have withdrawn American support for these negotiations?

We could have done that. But as someone who helped to put the P-5 together, as well as the first three U.N. Security Council sanctions resolutions in the Bush administration, I think I know what would have happened.

Our coalition, which is global, which contains every major country in the world would have frayed and ultimately dissolved. Countries would have gone their own way without the leadership of the United States.

I know what would have happened to the sanctions regime and that is our leverage against Iran. That is what brought them to the table.

It would have dissipated or dissolved over time because the Chinese would want to go for energy contracts and the Indian Government would want to import more oil from Iran.

And even our friends in East Asia, our allies, would want to go back to our normal trading relationship.

So the no-deal option that we walk away and just sanction further, the United States can sanction all it wants and I respect what Congress has done and it was very important.

But what got Iran to the table was the global sanctions. It was Japan and South Korea and India not buying as much oil and gas. It was the European oil embargo. It was the European financial sanctions.

If you walked away and the coalition dissolved, there goes the leverage of the sanctions. So for me, if I have to weigh that walking out no-deal option versus President Obama's option, I favor President Obama's option.

One more option available to the United States: We could have gone directly to the use of military force. General Hayden would be a far greater authority than I would on this issue, as a military person.

But I believe the United States has the capacity to effectively destroy Iran's civil nuclear facilities. That might buy us 3 or 4 years.

I don't know what the numbers are. That might give us a grace period. But you can't bomb the scientific knowledge that their engineers and their scientists have.

They know how to mine uranium. They know how to convert it. They know how to enrich it. They know how to assemble a nuclear warhead, we think, we fear. And so that military option is really not a strategic option.

It is a tactical option. It buys you time. Well, President Obama's option buys us 10 years where we can be reasonably assured that their program is frozen.

So I don't think these other options work for the United States in the real world of international politics and international diplomacy, and that is why, as I look at the alternatives, I think President Obama's is worthy of your support and I certainly am going to support him.

Mr. Chairman, two quick points. At the same time that the Obama administration will pursue this very difficult agreement with Iran on the nuclear issues, I think we are going to have to push back against the Iranians in the Middle East because they are on a tear.

They have become the king maker in Syria. They are the most—unfortunately—the most influential country in Iraq. They are running arms to Hamas in Gaza, to Hezbollah in Lebanon and they are supporting and instigating the revolt of the Houthi tribes in Yemen that have torn that country apart.

If you will, they are making a big play for power in the heart of the Sunni world. That is against the interests of all of our Arab friends, against Israel and against the United States.

So I think we are in the incongruous position—I certainly am—of supporting a nuclear deal and yet hoping and believing that President Obama needs to push back through a strong coalition with the Arab countries against Iranian power.

And I would hope that President Obama and the Obama administration in general would make up with Israel, would end the war of words between the White House and the Israeli Prime Minister, would reinforce our military relationship with Israel as well as the Gulf States so that we can contain Iranian power in the Middle East.

I think that is a very important imperative that is going—is racing right alongside the debate on the nuclear issue as we speak.

And finally, let me say, as someone who has served in both Democratic and Republican administrations, I would hope that we could have a bipartisan debate in our country among citizens and, certainly, on Capitol Hill.

There are obvious differences between the Bush and Obama administrations but both sought negotiations. Both wanted to have a negotiated outcome. That is what we were aiming for in 2006 and 2007.

When Iran denied it to us, we turned to sanctions, thanks to the Congress for those sanctions—very important—but we are going to need bipartisan unity and support for our President if we are going to contain and ultimately defeat this threat by Iran that is in front of us.

Thank you very much.

[The prepared statement of Mr. Burns follows:]

Testimony of Ambassador (ret.) Nicholas Burns
Goodman Professor of Diplomacy and International Relations
Harvard Kennedy School
House Committee on Foreign Affairs
July 14, 2015

Mr. Chairman, Congressman Deutch and members of the committee, I am grateful for this opportunity to testify on the Implications of a Nuclear Agreement with Iran.

I support the negotiations under way in Vienna to prevent Iran from becoming a nuclear weapons power and believe the U.S. is warranted to seek a diplomatic solution to this challenge, if one is possible.

Since serving as Under Secretary of State for Political Affairs from 2005 until 2008 when I had responsibility for Iran policy in the State Department, I have followed this issue closely. I consider Iran's drive for nuclear weapons to be unacceptable if we wish to see a future of peace for the Middle East. Stopping Iran and keeping it under close international inspection is one of the most important national security objectives of the United States.

The American effort to thwart Iran has been underway for more than a decade. While there have been differences between the Bush and Obama Administrations on Iran policy, there has also been an important degree of continuity that has served our country well. Both Administrations offered to negotiate with Iran on the nuclear issue. Both sanctioned Iran when it refused to negotiate. Both led the construction of a strong international coalition against Iran. And, both have been willing to use force, if necessary, to prevent Iran from obtaining a nuclear weapon.

In my view, both the Bush and Obama Administrations have acted seriously and responsibly to maneuver Iran towards the only solution acceptable to our country—an Iran locked into strict and verifiable international commitments that prevent it from constructing a nuclear device.

A tough-minded, detailed agreement reached in Vienna by the U.S. and its partners-- the United Kingdom, France, Germany, Russia and China-- with the Iranian government would serve that strategic aim. It would be the most effective path the U.S. could take at this time.

Until we see the final text, if one is agreed, and the specific details on inspections, verification, sanctions and other provisions, it is not possible to make a final judgment about the proposed deal.

But, if the final agreement includes tough restrictions in these areas as well as those on Iran's program announced on an interim basis in early April, it will be worthy of Congressional support.

The interim agreement stipulated that Iran's nuclear research program would be effectively frozen for the next decade and, in some respects, for an additional five years beyond. This would very likely deny Iran the capability of producing a nuclear weapon during this timeframe and

would, as President Obama has argued, close off every route to a nuclear weapon during that period.

The interim agreement also mandated that Iran's plutonium program be blocked. The core of the Arak Heavy Water reactor would be dismantled and the reactor converted so it cannot produce significant quantities of plutonium. Spent fuel would be transported outside of Iran's national territory. There would be no reprocessing of fuel inside Iran itself on a permanent basis.

This agreement would diminish the capacity of Iran's civil nuclear enrichment program. There would be no enrichment at Iran's plant at Fordow for fifteen years. There would be a greatly diminished number of centrifuges in operation at Iran's plant at Natanz for ten years. Advanced centrifuges would not be permitted at Natanz for ten years. And Iran's store of enriched uranium would be capped at 3.67 percent and limited to only 300 kilograms--below levels needed for a nuclear weapon for fifteen years.

As President Obama and Secretary Kerry have argued, the net result is that this agreement, if it is reached, would prolong Iran's breakout time from two to three months now to at least one year for the next decade.

Second, the interim agreement negotiated with Iran would provide for an intrusive inspection regime led by the International Atomic Energy Agency (IAEA) to ensure access to any suspect facility inside Iran, including military facilities. IAEA inspections of Iran's nuclear supply chain would last for twenty-five years. Iran would be subjected permanently to enhanced IAEA inspections under the Additional Protocol.

Third, a key component of the interim agreement is that the U.S. and other signatories can re-impose sanctions should Iran violate its terms in the future. And many of the most intrusive sanctions on Iran would not be lifted immediately but only after Iran has carried out the commitments it has made to dismantle much of its nuclear program. The details on how sanctions re-imposition will work will be a key element of a final agreement.

Fourth a final agreement would give the U.S. and our partners an opportunity to stop Iran's nuclear initiatives by negotiation and diplomacy and not by force. While I believe we should maintain the threat of force and be willing to use it should that be necessary, we are certainly better off seeking a diplomatic solution at this time. The use of force carries with it the risk of unintended consequences and could spark a wider conflict. A negotiated agreement is a smarter and more effective strategy that would box in Iran for a decade to come.

This would not be, of course, a perfect agreement for the U.S. by any means. As with any negotiated agreement of this kind, the U.S. and its partners would make difficult compromises to gain the advantages I have summarized.

Under the terms of the interim agreement, much of Iran's nuclear program would be suspended but its basic superstructure would survive, much of it in mothballs. It could be rebuilt after a decade's time when the limitations on Iran's program begin to lapse.

In addition, the ultimate effectiveness of any agreement will rest on the ability of IAEA inspectors to maintain a clear line of sight into all of Iran's nuclear activities. Should Iran cheat on its commitments, and that is a distinct possibility, the inspectors must have complete freedom and flexibility to ferret out all shortcomings and evasions by the Iranian authorities.

Much also depends on the ability of the U.S. and its allies to re-impose sanctions should that be necessary. Ensuring that Russia and China stick with the U.S. and Europe in cracking down on Iranian transgressions will be an important factor in implementing an agreement.

These trade-offs are real and will have to be monitored closely by the current Administration and its successors. Successful implementation of the agreement will require a tough-minded attitude by the U.S. for many years to come.

Despite these concerns, I remain persuaded that the agreement would be the best alternative available to the U.S. at this time. I see no other course that would give us a greater probability of preventing an Iranian nuclear weapon. That is the key determinant that members of Congress must keep in mind. Is there a more effective alternative to this agreement that would enable us to stop Iran's nuclear program?

Some have suggested the alternative that Secretary Kerry should have walked away from the negotiating table instead of committing the U.S. to this agreement. The weakness in that argument is that it presupposes we could have then maintained international sanctions as leverage against Iran. I am not persuaded that would have been the case. In this scenario, P-5 unity on sanctions, particularly on the part of Russia and China, might have weakened. It might have also been difficult to keep other countries critical to the sanctions regime fully on board.

I fear that a U.S. walk out would have diminished and possibly even dissolved the power of the sanctions regime we have imposed so successfully on Iran to date. U.S. sanctions alone would not, as you know, constitute effective deterrence against Iran. The sanctions applied by Presidents Obama and Bush and by the Congress were very important. But, it was when the European Union imposed financial and oil and gas sanctions against Iran and other nations began to curb trade in important sectors that Iran felt the weight of a truly global campaign to stop it. An effective sanctions policy against Iran requires global involvement that would have been put at risk if the U.S. had walked away.

There would have been another negative consequence in walking away from the negotiating table. Iran's nuclear program, effectively frozen in place since the Joint Plan of Action went into effect in January 2014, would suddenly have been unshackled. Iran would have been free to expand its enrichment and plutonium activities. It could have produced weapons grade uranium. We would have been blind to many of their activities as international inspections would have been in jeopardy.

Walking away unilaterally from the negotiating table would pose a number of fundamental challenges to us and weaken our current leading role in the international coalition against Iran. There are times when the U.S. must act alone to protect its most important interests. In this case, we are stronger by continuing to lead a well-organized global coalition against Iran.

For some years now, Americans and Israelis have debated the merits of using military force against Iran to arrest its nuclear program. I believe it will be essential that we keep a credible threat of force on the table as one of our options for many years to come. But, this is not the time to use force, in my judgment. Iran is not on the verge of constructing a nuclear weapon. The sanctions have been effective in driving Iran to the negotiating table. The Administration is negotiating an agreement that serves our interests more capably than the use of force with its likely risks. While U.S. air strikes could very well set the Iranian program back, they could not eliminate the technological knowledge Iranian scientists and engineers have developed through many years of research and that would enable them to reconstitute a nuclear program.

As the Congress prepares to review the Iran nuclear deal and to vote on it, I hope every effort will be made to create a united partnership with the Administration as we move forward. We are, after all, likely only at the end of the beginning of the Iran nuclear challenge. The strategic imperative of stopping Iran from ever acquiring nuclear weapons will fall on a succession of Presidents and Congressional leaders in future years. This joint responsibility requires, by definition, a high degree of cohesion and good faith between both branches of government.

In just the next few months, for example, the Administration will need to ensure P-5 unity in facing the inevitable problems in Iranian compliance with the agreement. It will also need to maintain an international consensus to re-impose sanctions, if necessary.

The U.S. will also face the difficulty in working, in effect, with two Iranian governments as we move to the implementation stage of the agreement. Secretary Kerry has been negotiating this agreement with an Iranian Foreign Minister who reports to a relatively reformist Prime Minister. But, there is another Iranian government we will have to confront in the immediate period ahead—the Iranian Revolutionary Guards Corps Command, other radical state militia and, especially, the conservative, anti-American Supreme Leader of Iran, Ayatollah Ali Khamenei. Iran's complicated and disputatious government may well challenge the effective implementation of the overall agreement.

As the nuclear deal is implemented, the U.S. will also need to lead an international initiative to contain Iran's assertive push for power into the heart of the Sunni world—Iraq, Syria, Lebanon, Gaza and Yemen. The U.S. will need to strengthen our coalition with Saudi Arabia and the Gulf States to contain Iran's reach in the Middle East. The Administration should also close ranks with Israel and put aside the public disagreements that have weakened that vital partnership during the past year. In this respect, it will be important that the Administration continue to refuse to lift the UN-imposed arms embargoes on Iran that have been in place for nearly a decade. This is no time to help Iran augment its power in a violent and unstable region. Instead, the U.S. should impose a containment strategy around Iran until it adopts a less assertive and destructive policy in the region.

We are entering an entirely new phase of our relationship with Iran. After thirty-five years of minimal contact with its radical government, Washington and Tehran are talking again. While it is far too early to re-establish formal diplomatic relations, it is to our advantage to have Secretary Kerry and other senior American officials remain in contact with the Iranian government. Far

from giving Tehran undue recognition, talking to Iran makes us smarter about their intentions, permits us to monitor their implementation of the agreement more closely and provides a channel for us to convey the most frank messages and warnings.

There may be some issues where contact with Iran will work to our advantage. Syria is one possibility. Afghanistan is another. In most other cases, diplomatic contact will reinforce the tough positions we have staked out to limit and contain Iranian influence in the region and to deny Iran its ambition to become the central Middle East power.

For these reasons, I do not believe we will see a honeymoon phase between the U.S. and Iran, as some are predicting, during the next few years. Our differences with Iran will outweigh our agreements on many, important issues.

In sum, I support the strategy the Obama Administration has pursued on the Iran nuclear issue. Thanks to both President Obama and President Bush before him, we are on the verge of succeeding, after ten long years, to place Iran's nuclear program under strict international supervision.

A nuclear agreement with Iran will be supported by the United Nations Security Council where the United States can exercise the veto. And, if Iran violates the agreement or tries to break free from its constraints in the future by racing towards the nuclear threshold, the U.S. will retain the power and the right to use any means available, including military force, to stop it.

Members of Congress from both parties will ask tough questions of the Administration given the importance of the Iran nuclear issue to American interests and those of our partners in the region. I hope Congress and the Administration will then be able to close ranks and to work together on a united basis to stop Iran's nuclear ambitions.

Chairman ROYCE. Thank you, Ambassador.
Dr. Takeyh.

**STATEMENT OF RAY TAKEYH, PH.D., SENIOR FELLOW,
COUNCIL ON FOREIGN RELATIONS**

Mr. TAKEYH. Thank you, Chairman Royce, Ranking Member Deutch, for inviting me back to this particular forum.

As the junior man on the table, I will stay within my allotted time, especially since I don't—Judge Poe usually would cut me off. But he is not here right now—the ever-vigilant Judge Poe, I should say.

Since the advent, I think, of the Iranian nuclear crisis in 2002, two principles have guided the United States' negotiating position.

From 2002 to 2013, those two positions were what kind of a civilian nuclear program Iran is entitled to and their position was given as practical needs and Iran has no practical needs for enrichment.

It should be allowed only a symbolic nuclear program. Such a symbolic program would allow the Iranians' leadership to save face while at the same time there would be assurances that such a symbolic program would not be used for military purposes.

The second position that guided the United States' policy from 2002 to 2013 was that Iran can rejoin the NPT community once it established the trust and confidence of the international community.

These were positions of the Obama administration—endorse, embrace and persuade the 5+1 countries including Russia and China to accept. It is precisely these two principles that the administration has jettisoned in 2013 in interim court, Lausanne framework and codified in the recent comprehensive Joint Plan of Action.

The notion of practical needs has been replaced by something called a 1-year breakout period with acknowledgment that has already been made that that 1-year is now static and will alter to zero in the concluding stages of this agreement.

And the notion of trust and confidence of the international community has been replaced by a sunset clause whereby an arbitrary time clock will determine when Iran can proceed to an industrial-sized program—industrial-sized program not that dissimilar to Japan, should they want one.

Japan can be trusted with such technologies. Iran should not. Japan doesn't want a bomb. Iran does. All these significant issues aside, this deal and its implications have to be articulated in the context of the changing nature of Islamic Republic's foreign policy.

It is important to note that the Supreme Leader, Ali Khomeini, today stands as the most successful Persian imperialist in the modern history of Iran.

In 1970 at the height of his power, the shah never had control of Iraq. He never had commanding influence in Syria. The Lebanese faction of politics always eluded him and the Gulf States ripped off his pretensions.

Today, as Nick and others have suggested, the Islamic Republic has a commanding position in Iraq and deep penetration of the deep state. It is the most significant external power in Syria.

Through Hezbollah it had a lethal proxy that can employ not just for manipulation Lebanese politics but also in various forefronts in

the Middle East and, of course, in the Gulf, another aspect of America's fractured alliances give Iran ample opportunity.

There is a debate, and it is a rather curious one, what would Islamic Republic spend its money on. Imperialism has its costs and some of that money undoubtedly will go to the tempting of imperial opportunities that are out there.

But I do believe that the administration has one case. Some of the money will undoubtedly be spent on domestic concerns and domestic needs.

Hassan Rouhani belongs to a wing of the Iranian politics that have always been interested with what they call the China model whereby you can purchase domestic consent by offering economic opportunity.

So in that particular sense, you can make a case and I think a rather plausible one that the Rouhani administration has been one of the most repressive in the post-revolutionary state.

Iran's burdened citizens will require some sort of a relief and along the China model the idea is that by granting them a measure of economic rewards you can purchase domestic consent.

And it's particularly the case because the Islamic Republic, in my view, continues to be haunted by the Green Revolution of 2009. So to have any hope of succeeding in his name, Hassan Rouhani needs an arms control agreement as much as Ali Khomeini's Islamist imperialism.

In the end, this deal may not rest on trust but it does rest on hope—the hope that a decade from now the Islamic Republic will be a different regime, a benign power, at ease with global norms, inclined to live at peace with its neighbors—a power that is no longer fuel-activated by anti-Americanism and anti-Zionism that have so long fueled this ideological engine.

After watching the Islamic Republic for two decades in its own idiom, in its own language, it is a hope that I have difficulty sharing.

Thank you.

[The prepared statement of Mr. Takeyh follows:]

Implications of a Nuclear Agreement with Iran

Prepared Statement by

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Before the
Committee on Foreign Affairs
House of Representatives

After nearly two years of intense diplomacy, the Obama administration has finally concluding an agreement that leaves Iran as a threshold nuclear state. In the coming weeks, there will be ample debate about the nature of the agreement, its verification regime and its enforcement mechanism. As critical as all these elements may be, there are two overarching concessions that Washington made in 2013 that conditioned all its subsequent compromises. And a more robust agreement would require reclaiming those two principles.

Practical Needs: In 2009, the Obama administration wrestled with the question of what type of civilian nuclear program Iran is entitled to. After much thoughtful deliberation, the administration settled on the notion of practical needs as determining the scope of Iran's atomic infrastructure. In the simplest terms, uranium is enriched to make fuel rods that then power reactors. Given the fact that Iran does not have a reliable capacity to make fuel rods or reactors, it was decided it should have only a very modest enrichment program.

It is precisely this important principle that the Obama administration abandoned in 2013 for sake of a one-year breakout timeline. Suddenly, Iran could sustain its vast enrichment capacity so long as its breakout potential was delayed by one year. Even this one-year breakout period is not static and will be impacted by Iran's advancing technologies. As President Obama conceded recently, "What is a more relevant fear would be that in year 13, 14, 15, they have advanced centrifuges that enrich uranium fairly rapidly, and at that point the breakout times would have shrunk almost down to zero." It is important to note that a zero-breakout period means that Iran's surge to the bomb would be undetectable.

Trust and Confidence of the International Community: The second principle that was abandoned during the process of negotiations is the point at which Iran can rejoin the NPT community. As a signatory of the NPT Iran does have certain rights and privileges. However, given its history of concealment and fraud, there has to be a balance between its rights and its obligations. The position of the United States was that once Iran convinced the international community that its nuclear program was strictly for peaceful purposes, only then could it expand its capacity. For that to happen, the International Atomic Energy Agency (IAEA) had to certify that it is satisfied with Iran's compliance record and the United Nations Security Council had to vote to allow Iran to rejoin the NPT community. This was indeed a high bar.

Once more, the Obama administration jettisoned this sensible precaution for the sake of a sunset clause. Under the impending agreement, after the expiration of the sunset clause Iran has the right to build up its nuclear program to whatever size it wishes. In essence, Iran can become like Japan. To say the least, the Islamic Republic is not similar to Japan. It is neither a democratic state nor one that respects the prevailing global norms.

During the process of negotiations, the Obama administration has discarded its own sensible prohibitions. Once the principles of national needs and establishment of the trust and confidence of the international community were discarded, a range of unwise concessions became possible. Suddenly, Iran did not have to dismantle much of its enrichment infrastructure. The underground enrichment plant in Fordow and the heavy water plant in Arak did not have to close. And Iran's development of advanced centrifuges did not have to permanently cease. In essence, the United States moved from stopping Iran's nuclear activities to regulating their growth.

Iran Nuclear Deal and the History of U.S. Non-Proliferation Policy: The impending agreement between United and Iran is truly a landmark accord, for it upends 50 years of U.S. non-proliferation policy. Although today remembered best for the Vietnam War and the Great Society, Lyndon Johnson was also the architect of contemporary U.S. strategy toward

nuclear proliferation. Johnson may have erred in Vietnam, but the legacy he left behind on the issue of arms control is a worthy one. That legacy was sustained by both Republican and Democratic administrations until the advent of the Iran deal.

In October 1964, China detonated an atomic bomb, sending shock waves throughout the U.S. government. Suddenly it was not just selective Western nations that possessed the bomb but a revolutionary Asian power. Fears of nuclear know-how proliferating from East Asia to Latin America gripped U.S. policymakers. Under the direction of Roswell Gilpatric, former deputy secretary of defense, U.S. policy toward the bomb was evaluated and assessed. A report by the Gilpatric committee established parameters of U.S. policy toward proliferation that would guide successive administrations for the next five decades.

In the wake of the committee's recommendations—accepted after spirited debate—the U.S. took a firm line on access to sensitive nuclear technologies by both adversaries and allies. It sought to prevent all countries from enriching uranium or reprocessing plutonium. Under the new strictures should, say, West Germany, Taiwan, or South Korea be tempted to pursue the technological precursors to the bomb, they would be risking their security ties to the United States. In short, it was in the 1960s that the United States became a proliferation hawk.

In 1968 President Johnson signed the nuclear Non-Proliferation Treaty (NPT) that was to regulate civilian nuclear programs. Peaceful nuclear energy has industrial uses, but the U.S. government position held that there was no need for states to enrich uranium to benefit from atomic power. It was U.S. policy that becoming a signatory of the NPT meant that a nation could use nuclear energy but not necessarily develop certain technologies that could easily be converted for military purposes. The U.S. also went on to institute rigorous export controls and established the Nuclear Suppliers Group, which restricts nuclear commerce. The efforts of several U.S. administrations—Republican and Democratic—were among the reasons that more states did not build the bomb after China.

U.S. actions on non-proliferation strained relations with many allies, including the enterprising shah of Iran. It is a talking point of the Islamic Republic today that Washington looked the other way and even assisted the shah as he sought to develop a nuclear weapon capability. This claim has been accepted as a truism by many U.S. policymakers and analysts. But the historical record belies such assertions. The Ford and Carter administrations opposed the shah's quest for completion of the fuel cycle and refused to give him access to sensitive nuclear technologies. Washington insisted that the shah, then head of a regime considered a reliable U.S. ally, forgo the capacity to either enrich uranium or reprocess plutonium.

To be sure there were failures along the way as India, Pakistan and North Korea defied the United States and built their own bombs. But Washington did not facilitate their programs and, in each instance, tried to derail their efforts. The position of the United States remained that the Nuclear Non-Proliferation Treaty does not give any state the right to enrich and that the most suitable path to a civilian nuclear program is to forgo that option.

Today, by contrast, the U.S. appears poised to concede to an adversarial regime not only an enrichment capacity but also one that is likely to be industrialized after the expiration of a sunset clause. This would have been like Washington aiding the Soviets in constructing the bomb in the 1940s or helping China in the 1960s. There is no dispute between the Obama White House and its critics that Iran is a revolutionary regime seeking to expand its influence in the Middle East. Tehran's destabilizing regional activities come at the detriment of the United States and its allies. The baffling part of all this is that Washington is seeking to conclude an agreement that envisions this radical regime gaining access to a sophisticated nuclear infrastructure that will not permanently be limited to peaceful exploitation of atomic power.

The Islamic Republic and the Future of the Middle East in aftermath of the Nuclear Deal: More than any other nation, Iran has always perceived itself as the natural hegemon of its neighborhood. Iranians across generations are infused with a unique sense of their history, the splendor of their civilization, and the power of their celebrated empires. A perception of superiority over one's neighbors defines the core of the Persian cosmology. The empire shrank over the centuries, and the embrace of Persian culture faded with the arrival of the more alluring Western mores, but an exaggerated view of Iran has remained largely intact. By dint of their history and the power of their civilization, Iranians believe that their nation should establish its regional predominance.

However, to ascribe Iran's foreign policy strictly to its sense of nationalism and historical aspirations is to ignore the doctrinal foundations of the theocratic regime. The Islamic revolution of 1979 left a permanent imprint on Iran's foreign policy orientation. Ayatollah Ruhollah Khomeini bequeathed his successors an internationalist vision that divides the world between the oppressed and the oppressor. Such a view is consistent with Shia political traditions where a minority sect struggled under Sunni Arab rulers that were often repressive and harsh. Thus, the notion of tyranny and suffering has a powerful symbolic aspect as well as practical importance. Iran is not merely a nation seeking independence and autonomy within the prevailing order. The Islamic revolution was a struggle between good and evil, a battle waged for moral redemption and genuine emancipation from the cultural and political tentacles of a profane and iniquitous West. Irrespective of changing nature of its presidents, Iran will persist with its revolutionary and populist approach to regional politics.

For much of the past three decades, the Islamic Republic's inflammatory rhetoric and aggressive posture concealed the reality of its strategic loneliness. Iran is, after all, a Persian nation surrounded by Arab states *were* suspicious of its revolution and its proclaimed objectives. The Gulf sheikdoms arrayed themselves behind the American shield, Iraq sustained its animosity toward Iran long after the end of its war, and the incumbent Sunni republics maintained a steady belligerence. Iran nurtured its lethal Hezbollah protégé and aided Palestinian rejectionist groups but appeared hemmed in by the wall of Arab hostility. All this changed when Iraq was reclaimed by the Shias and the Arab Spring shook the foundations of the Sunni order. Today, the guardians of the Islamic Republic see a unique opportunity to project their power in a region beset by unpredictable transitions.

For the Supreme Leader Ali Khamenei Arab Spring means "a people have emerged who are not dependent on America." Whatever confidence-building measures his diplomats might be negotiating in Europe, the Supreme Leader insists that Iran is "challenging the influence of America in the region and it is extending its own influence." In Khamenei's depiction, America is a crestfallen imperial state hastily retreating from the region. Today Tehran sees an America unable to impose a solution on a recalcitrant Middle East. Whatever compunctions Tehran may have had about American power greatly diminished with the spectacle over Syria where Washington's redlines were erased with the same carelessness that they were initially drawn.

The key actors defining Iran's regional policy are not its urbane diplomats mingling with their Western counterparts in Europe, but the Revolutionary Guards, particularly the famed Quds Brigade. For the commander of the Quds Brigade, General Qasim Soleimani the struggle to evict America from the region began in Iraq. "After the fall of Saddam, there was talk by various individuals that they should manage Iraq, but with Iraq's religious leaders and Iran's influence, America could not reach that goal," proclaimed Soleimani. The struggle moved on and today "Syria is the front-line of resistance." For the hardliners, the Sunni states attempt to dislodge Assad is really a means of weakening Iran. The survival and success of the Assad Dynasty is now a central element of Iran's foreign policy.

The question then becomes what impact the nuclear deal will have on Iran and its regional surge. How will the Islamic Republic spend the billions of dollars it would receive as a result of an accord. Proponents of a deal insist that Iran will funnel much of this newfound wealth into its depleted economy. By their telling, even during dire economic times Iran prioritized funding for its malign activities and thus doesn't need to steer new money in their direction. Such a curious justification overlooks how Iran's regional policies, and its internal dynamics, are undergoing momentous changes.

Supreme Leader Ali Khamenei stands as one of the most successful Persian imperialists in the history of modern Iran. In the 1970s, at the height of his power, the shah did not enjoy a commanding influence in Iraq. Lebanon's factional politics continued to elude him, the Assad dynasty was no mere subsidiary of Iran and the Persian Gulf emirates resisted his pretensions. Today, Khamenei has essential control of much of the Iraqi state, he is the most important external actor in Syria, and Hezbollah provides him with not just a means of manipulating Lebanon's politics but also shock troops who can be deployed on various war fronts. In the Gulf, the United States' crumbling alliances offer Iran many tempting opportunities.

Proponents of the view that Iran will not become a more aggressive regional power in the aftermath of a deal ignore how the Middle East has evolved since the Arab awakenings of 2011. The post-colonial Arab state system that featured the dominant nations of Egypt and Iraq is no more. Egypt is too preoccupied with internal squabbles to offer regional leadership while Iraq is a fragmented nation ruled by a Shiite government ostracized from Sunni Arab councils. Iran has

embarked on a dramatic new mission and is seeking to project its power into corners of the Middle East in ways that were never possible before. This is not traditional Iranian foreign policy with its sponsorship of terrorism and support for rejectionist groups targeting Israel; imperialism beckons the mullahs, but it is also economically burdensome. Without an arms control agreement and the financial rewards it will bring — from sanctions relief, the release of funds entrapped abroad and new investments — Iran would find it difficult to subsidize this imperial surge.

Still, the claim that Iran will invest a portion of the economic spoils of a deal on domestic needs is not entirely wrong. President Hassan Rouhani belongs to the wing of Iranian politics that has long been attracted to the so-called China model, whereby a regime purchases domestic consent by providing a measure of economic opportunity to its stifled citizenry. Two years into Rouhani's tenure, his government stands as one of the most repressive in the post-revolutionary period. Many civil society activists languish in prison, media censorship has continued unabated and the intelligence services remain abusive and unaccountable. The state cannot sustain such an oppressive order without ameliorating some of its constituents' misfortunes. It may come to pass that Iran, with its small, badly mismanaged economy, will not be able to emulate China's authoritarian model, especially since the Green Movement that enlivened Iran six years ago continues to cast a long shadow. But to have any hope of success in his aims, Rouhani needs an arms control agreement as much as Khamenei's Islamist imperialism.

The much-discussed terms of the impending agreement with Iran thus offer the theocracy all that it wants. The accord would concede a vast enrichment capacity, as well as accepting both a heavy water plant and a well-fortified underground enrichment facility that the United States once vowed to shutter. It would permit an elaborate research and development program and would likely rely on an inspection regime that falls short of indispensable "anytime, anywhere" access. In the meantime, the sanctions architecture will be diminished, and the notion of ever "snapping back" sanctions into place once they are lifted is delusional. And because the agreement itself would be term-limited, there would be no practical limits on Iran's nuclear ambitions upon its expiration.

However, as disturbing as all this may be, the most important legacy of the prospective agreement may not even lie in the nuclear realm. The massive financial gains from the deal would enable the Islamic Republic's imperial surge while allowing a repressive regime that was on the brink of collapse in 2009 to consolidate power. This would be no small achievement for Iran's emboldened rulers.

Chairman ROYCE. Thank you.

I would like to just go to the question of the arms embargo and, you know, this was—Doctor, this was a last minute addendum to this agreement, a demand in the negotiation that the U.N. lift the arms embargo as it related not just to conventional weapons that Iran could better arm Assad and Hezbollah with but also goes to this issue of Iran's capability to get access to the international technical assistance that it seeks to improve their I.C.B.M. program.

And last week, Secretary of Defense Carter and Chairman of the Joint Chiefs of Staff Dempsey both sounded the alarm about what this would mean if they get this capability to have an I.C.B.M. reach the United States and, clearly, the Russians stepped in the last minute of the negotiations. Clearly, Russia, wants to transfer this technical assistance to Iran.

This is the most recent issue that I think caught us by surprise and I think the other element of surprise was the discovery that in the middle of this negotiation about a month ago that Iran had committed to transfer to Hamas not just the funding to rebuild the 35 tunnels that had been built before under Israel but also a new generation of rockets and weapons and then, most recently, the additional discovery or announcement that Iran was going to transfer precision guidance systems to the 100,000 rockets and missiles that Hezbollah has at its disposal aimed right now at Israel but not quite as effective, obviously, because of the Iron Dome as they could be if they had these precision guidance systems.

The fact that Iran is willing to do this in the middle of the negotiation and to demand the up-front payment of this signing bonus which, evidently, they're going to use for this purpose is something that really drove the attention here of a number of Members of Congress over the last few days as this information surfacing.

And I would like, Ray, your comments on this or, you know, General, you might have some insights as well.

Mr. TAKEYH. I mean, Nick can talk about the conventional prohibitions in U.N. because they were negotiated in the 2006 Security Council resolution.

As I understand it that those embargoes on conventional arms have to do with Iran's regional behavior and had nothing to do with that nuclear dispute that was ongoing at the time.

Irrespective of what happens to the arms embargo, and I think it's unfortunate that it's not going to be sustained, Iran has developed a fairly robust indigenous defense industry that additional money that it uses can certainly enhance in terms of illicit procurements and so forth.

So there is always going to be a problem of Iranian transference of missile technology in other forums but, obviously, under this particular prohibition once it expires they have access to more sophisticated knowledge.

Chairman ROYCE. Well, and now it will go both ways. So now not only will they be able to export from their technology that they have developed more easily to their allies but they are also going to be able to import from Russia and China the technology they need for I.C.B.M.s or surface-to-air weapons and so forth.

Ambassador Burns.

Mr. BURNS. Mr. Chairman, there is no question that the Iranians were trying to split the P-5 in the last week of these negotiations with this proposal—point one.

Point two, there was no way we could have accepted this and so I was trying to dive through the details, coming over here. If we can maintain these U.N. weapons embargoes for both import and export for 5 to 8 years that is good for the United States. It is painful—

Chairman ROYCE. Well, hold on. Five to eight years they—in 10 years they are going to have the capability for undetectable nuclear breakout—you know, 10 years plus under this agreement.

Why would we want to agree to 5 years lifting and 8 years for the Russian transference of that capability? Why would—why would the United States sign off on such an agreement, Ambassador?

Mr. BURNS. And I am not here, of course, to represent the administration. I am just a private citizen. This is a painful tradeoff. I would have hoped that we could have defeated it completely.

It's a tradeoff that, apparently, our negotiators felt they had to make. So how would we then work once these embargoes are lifted 5, 6, 7, 8 years from now?

We will have to use the power of the United States to work on countries to prevent the sale to Iran because Iran's been violating the other part of it. They have been selling and giving their arms to insurgent groups throughout the Middle East.

Chairman ROYCE. Let me just ask General Hayden.

General HAYDEN. Yes, very briefly, Mr. Chairman, I find it incoherent. In my prepared remarks I try to describe going from the broad to the specific.

We have an awful lot of complaints about broad Iranian behavior. That is the arms embargo. There are lots of ways of stopping the nuclear program. We have dismissed the ballistic missile part, focus only on the nuclear.

So to get Iran down to this agreement we have simply taken a whole bunch of things off the table that we legitimately could have included.

Now we get to the agreement and the Iranians are now walking back up that ladder and including as concessions to them things that they have refused to discuss with us when we went into the negotiations.

I don't understand why the ballistic missile sanctions or the conventional weapons sanctions are even in an agreement on a nuclear program.

Chairman ROYCE. General, as I mentioned in my opening statement here, the administration was once on the same page as Congress on this issue of "anywhere, anytime" inspections.

But the Iranians pushed back very hard. I remember the deputy head of the Iranian Revolutionary Guard Corps boasting that "they will not even be permitted to inspect the most normal military site in their dreams."

So now we are signing up for something called "managed access" and a report overnight says that inspectors will get access to critical sites only after consultation with the Iranians, with the Russians, with China, and other world powers in this negotiation.

We wanted to get this within 24 hours. That was the original idea—inspectors could get in within 24 hours. This agreement, if we are lucky, would get inspectors access in 24 days after all of the steps that Iran has insisted on.

But that is only predicated on the idea that we have cooperation from Russia and China in backing the access. So my question here, as you said in your testimony, we never believed that the uranium at Iran's declared facilities would ever make its way into a weapon. We always believed that work would be done somewhere else in secret, as you said.

So how confident are you in a sort of "managed access" process that includes Iran on the committee that determines whether or not we have access?

General HAYDEN. Mr. Chairman, I have several issues. I already mentioned one about the conventional arms. Snap back sanctions—I am not sure how that happens.

But this is the one I am most concerned about because, again, we have eliminated our margin for error. It is all about fissile material. So a couple of just very core points.

Number one, I would never come to you and tell you that American national technical means will be sufficient for verifying this agreement. Without an invasive inspection regime, I would not while I'm in government or now tell you it's okay, we will know enough to give you sufficient warning.

So that really puts the weight of effort on the IAEA's ability to go anywhere at any time. As I suggested in my remarks, Mr. Chairman, we have taken that from the technical level that this international body has an issue. It just needs to resolve. We have taken it from the technical level and put it at the political level and I just think that is a formula for chaos, obfuscation, ambiguity, doubt and finally, we are just going to be able to tell you for sure where the Iranians are.

Chairman ROYCE. Thank you.

Mr. Lieberman, final comments.

Mr. LIEBERMAN. Thanks, Mr. Chairman.

Very briefly, this question really, in my opinion, highlights the greatest specific weakness of the agreement announced today. I mean, we are dealing with a country that has proven over and over again that they will not play by international rules.

They have constantly deceived and delayed international inspectors from the United Nations, not from the United States.

So now we are taking a risk of making this trade where we end sanctions on them in return for them essentially temporarily freezing their nuclear program if they, for the first time in the last three decades, actually do honestly what they say they will do.

And the one guarantee or hope that we could have that they would do it was the anytime, anywhere airtight inspections. The agreement that came out today is the greatest disappointment in this regard because it is—I mean, basically it sets a highly bureaucratic process that goes at least 21 days during which Iran can remove anything covert and in violation of the agreement that they want to.

So I think this is the point—I urge members of this committee, Members of Congress, focus in on the section of this agreement on

access. This is one that Iran won hands down and the consequences for this overall agreement are really devastating.

Chairman ROYCE. Thank you, Senator.

Mr. Ted Deutch of Florida.

Mr. DEUTCH. Thank you, Mr. Chairman.

First, I want to thank the witnesses for a really thoughtful presentation and I think the establishment of a really important tone for what I hope will be a very meaningful and serious discussion over the coming weeks and months about this crucial vote.

And I raised earlier my concern about access, Mr. Chairman, and I appreciate the exchange that just took place. But, Ambassador Burns, I would like to—I would like to ask you, you walked through—I think you gave an excellent presentation on what our negotiators were able to accomplish and the tradeoffs that they needed to make and the skepticism that you have about some of what is in this agreement.

And I want to focus on one in particular. The goal in all of this—the goal of diplomacy is to reach—in reaching a diplomatic solution—is to reach a peaceful solution so as to avoid the use of military force.

And what I am trying to grapple with as we look at this—as we get into the details of this agreement—is what that looks like over time. Initially, you said that it's really important that at the same time that we move forward with this nuclear deal that we push back against Iranians in the Middle East and you detailed the many ways in which they have looked to exert their influence throughout the region, the spread of their terrorist infrastructure.

And I would ask, getting back to the issue of resources, when they satisfy the terms of their nuclear-related conditions and have access to their frozen assets, whether it is \$1 billion or \$50 billion, if we acknowledge, as Dr. Takeyh said, that they are going to invest in their own economy but, clearly, some portion of the money is going to be used to support what they are doing in the region.

If the goal is peace short term, is it likely that the infusion of additional money is going to lead to less peace and more violence through their terror proxies?

Mr. BURNS. Thank you very much, Mr. Deutch.

I would say that the goal here for the last 10 years has been to deny them a nuclear weapon through diplomatic means, a negotiated solution, if possible and if not we resort to military means.

I think that is what both the Bush and Obama administrations have tried to do. So yes, it is a peaceful solution but it is one that is in our interest, where we think we earned enough at the negotiating table so that it is worth doing.

That is how I understand what President Obama's logic is here and that is why I support it. You have asked a good question.

The problem is that we are dealing with two different Iranian governments. We have the, I think, genuinely reformist in their context—Prime Minister Hassan Rouhani, and a genuine reformer in their context in Javad Zarif, the Foreign Minister. That is the veneer—the government we have been dealing with in Vienna.

But there is another government and that is Qassem Soleimani, the commander of the Iranian Revolutionary Guard Corps, and

that is a hard-bitten cynical aggressive assertive violent organization. They are the people pushing in on the Middle East.

And so I assume, as Dr. Takeyh, Ray, does that some of the money from sanctions relief is going to go to economic improvements because they have got terrible political and economic problems at home.

They are going to have to rebuild the infrastructure of that country that has withered away under sanctions. Some of it is going to go into arms and to supporting terrorist groups.

And so at the same time that it is, I think, in our interest to pursue the nuclear agreement it is definitely in our interest to, I think, strengthen our coalition with Israel and the Arab countries and to push back on the Iranians.

Mr. DEUTCH. So let me ask it this way. You talked about two different governments. Have we been—have we spent all of this time negotiating with one to get to an agreement only to see that government then hand off responsibility, going forward, to the other government that is wreaking havoc throughout the region? Dr. Takeyh, let me ask you then.

Mr. TAKEYH. I will touch on this in the following way. I often hear that you can transact an arms control agreement and maintain your pressure on Iran. I am not sure if that is possible, and if you want to bring out the Soviet-American experience I am happy to go into that as well.

The principal means that the United States tries to discipline Iran has been through economic sanctions. We never use military force against them and so on.

This agreement stipulates that over a period of 10 years the United States will unwind its principal course of instruments, so a Central Bank sanction.

In this agreement, Central Bank sanctions are to be waived. Is that terrorism sanctions? Is that a regression sanction? Is that a human rights sanction?

It is a sanction that is going to be waived. The course of menu that the United States has for doing what Nick Burns wanted to do—contain Iran—is going to lessen. It is going to diminish.

Soviet-American—the era of arms control in Soviet-American relations was 1973 arms control agreement, ADM, SALT I, SALT II. It was also one of the most aggressive decades in Soviet history, culminating in an unprecedented event—invasion of a country outside the perimeter of Soviet influence, Afghanistan.

Countries that are—revolutionary countries that are a beneficiary of arms control agreements tend to be more aggressive and the ability of the United States to enforce, contain, reverse their aggression tends to diminish.

Mr. DEUTCH. So just, finally, Dr. Takeyh, I just want to make sure I understand. The reference to our negotiations with the Soviet—negotiation of arms control treaties with the negotiations—you suggest we should view more as a warning sign than—

Mr. TAKEYH. Yes. I challenge the thesis that you can maintain an arms control agreement and resist aggression by a revolutionary state.

Mr. DEUTCH. Thank you, Mr. Chairman.

Chairman ROYCE. Ileana Ros-Lehtinen of Florida.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and I would just like to remind my good friend, Ambassador Burns, that while he says that there are two governments—Rouhani and the hardliners—both were very much active just this past Friday when they were chanting “Death to America. Death to Israel.”

So we like to talk about these two separate entities—the hardliners and the moderates. They have one goal in mind and they say it—“Death to America. Death to Israel.” But we ignore that.

But according to reports, the White House seems to have caved on almost every one of Iran’s demands, blowing past its own red lines on enrichment, on centrifuges, on verifications, on inspections, on sanctions relief and on coming clean on past nuclear ambitions and military dimensions.

And along the way the administration has made excuse after excuse, justifying every Iranian violation of this interim deal in order to continue negotiations providing billions of dollars in sanctions relief and is set to provide billions more.

And now we know that Iran—what will it do with its additional sanctions relief and the influx of international investment that it is going to receive from this deal?

It is going to continue funding its hegemonic ambitions throughout the Middle East, its support for terrorism throughout the world, just as it has been doing in Lebanon, in Syria, in Yemen and Iraq.

And as reported, it is clear that this deal is a far cry from every red line that the White House itself imposed and it is a lower threshold than the six U.N. Security Council resolutions.

And I look back on and read these resolutions and I think wow, that is like a fairy tale, once upon a time the world powers got together and said this is what we are going to demand.

The administration kept lowering the bar time and time again, defending violations of the Iranians every step of the way, going legacy shopping—here is another item off the shelf, the Iranian nuclear deal.

People will be worried about whatever else is going on in the music industry and in the film industry. Nobody is going to pay attention. Let us look at the shiny keys.

The administration has also reportedly said that it would only lift nuclear-related sanctions even though officials would never describe exactly how that was defined. But now reports indicate that the administration has caved to the Iranian claim that all the sanctions are nuclear related.

Do you believe that the U.S. and the U.N. should be lifting sanctions imposed on Iran for its human rights record, its ballistic missile program, its support for terrorism including the arms embargo?

And following up on Chairman Royce’s exact point, General Hayden has pointed out that the IAEA must be allowed to inspect these suspect locations—military sites, et cetera.

But you had told us and your colleagues believe that weaponization would never occur at declared facilities. It would be done in the secret facilities. It is now being reported that the deal would allow suspect activities at suspect sites to have access only after the P5+1 consultation with the Iranians.

Secretary Kerry has stated that inspecting Iran's military sites, coming clean on possible military dimensions isn't even necessary because the U.S. has full knowledge of Iran's activity.

But many in the intelligence community including DIA Director, former DIA Director Michael Flynn, have argued that their real limits on U.S. intelligence in Iran makes this impossible.

How can we trust Iran to give U.N. inspectors access to suspect sites after consultation with P5+1 countries? How hard is it to gather intelligence in Iran? How can we have full knowledge of Iran's activities without access to all these sites.

And finally, Mr. Chairman, many supporters of the Iran deal have been floating the fantastical idea that Iran will change its behavior as a result of this agreement, become a better neighbor in a more stable Middle East.

How will lifting the sanctions and influx of new money from sanctions relief change Iran's involvement and influence throughout the Middle East? It will have more money to be involved in its hegemonic ambitions.

There is not enough time to answer all of the questions that I have and not only these sanctions that the U.N. supported once upon a time. We are done with that. We might as well just rip that one up. That is not happening.

And what about our U.S. sanctions? You know, Mr. Chairman, we talk about what sanctions we will lift. But there are some within our control. But there are so many executive order sanctions that the President can lift, so many provisions that he can waive.

I know that I am out of time but I am greatly saddened, sickened and frustrated over this deal. Thank you, Mr. Chairman.

Chairman ROYCE. Mr. Brad Sherman of California.

Mr. SHERMAN. Thank you.

Let me, first, set the record straight. The sanctions, especially the secondary sanctions, are the only reason that Iran made any concessions at all.

Those sanctions were imposed by Congress over the objection of the executive branch. For 30 years, Congress had it right. The executive branch had it wrong except for those occasions when the House had it right and sent bills over to the Senate and then the President blocked them in the Senate.

I am disappointed in this deal for all the reasons that have been brought up. The arms embargo was not a nuclear sanction yet it is being waived.

The Iran Sanctions Act will be waived even though there are basically nine reasons recited in the act as to why we imposed it, and only one of them is nuclear. This sanctions relief is so complete that we are even going to import things from Iran—not oil but only the things that we don't need and they can't sell to anybody else.

Dr. Takeyh, I think you're right in saying they are going to spend a good chunk of this money that they are going to get for domestic purposes.

But in addition, they will spend it on graft and corruption. They are good at that. They are going to kill a lot of Sunnis, some of who deserve it and many of whom do not, and then they will have a few brilliant at least left over to kill Americans, Israelis and work other mischief.

A number of people have talked about the hope—that we are going to see a change in the government. Keep in mind we impose sanctions to change the government on the theory that if you deprive a government and its people of economic benefit you put pressure on them to change.

Now we are going to shower them with money. Okay, it is their own money. But in any case, they are going to get—economic benefit is usually not the way to cause a government to lose its grip on power.

General Hayden brings up missiles. I will simply point out that you can smuggle a nuclear weapon inside a bale of marijuana. It is not the classy way to do it. Obviously, Iran wants missiles—intercontinental ballistic missiles—and they have only one reason for creating them and that is to deliver nuclear weapons.

Political pundits all over the various channels are all asking is it a good deal—did Obama do a good job. That is their job. They are political pundits. They can be politicians or politician wannabes.

We are here in the real world. We have got a disappointing deal that has the full support not only of the American President but also of the P5+1.

Imagine us going on a codel to Italy and telling them that Eni should not invest in Iranian oil fields even though President Obama thinks they should. We would have good wine but I don't think we would achieve our purpose.

So we are in the real world. Senator Lieberman points out that we can endorse or reject this agreement. I agree with you except there is something else we could do. We could refuse to endorse it and refuse to reject it, which is probably what we are going to do.

But I should mention this deal does have some good points. The good points are in the first year. Ninety percent of the stockpiles are being shipped out. Two-thirds of the centrifuges are being mothballed.

So if we don't take any action in the first year we get the benefits and the detriments of the first year of the deal. The 10th year of the deal is absolutely terrible. Iran has free access to 10 times as many centrifuges or 100 times as many centrifuges, each 10 times more efficient than the ones they've developed so far.

And so I think our focus needs to be what do we do to prevent year 10. We can pass a resolution. We could—we could bring up a resolution of approval.

It would be voted down overwhelmingly and then in the future Congresses and Presidents would be free to take action hopefully before year 10.

That would be the strongest statement against the agreement. What is more likely to happen, unfortunately, is we will have a resolution of disapproval. It will pass. It will be vetoed. The veto is likely to be sustained. I think it will be sustained.

And so we reach the same position which is Congress declares that it doesn't like the agreement, doesn't approve the agreement. We simply do so in the weakest and most pitiful way, the final vote being a victory for those who support the agreement when we don't get two-thirds to override.

So I think this deal is going to go into force. What I would like, and I realize I have left little time—hopefully, Chairman will be indulgent—but what advice do you give Presidents next decade as to how to prevent Iran from having an industrial-size enrichment program where, in the words of President Obama, their breakout time would be almost zero.

I will start with General Hayden.

General HAYDEN. I am sorry, Mr. Chairman. I don't have a good answer to that question. This deal guarantees the reality you just—

Mr. SHERMAN. Well, this deal is not binding on the American people or future American Presidents. So let us say Iran kind of lives within the deal for the next 5 years, is economically stronger.

Another President can say all options are on the table. What can a President do to make sure that this terrible year 10 does not go into force? Any other witness have a response?

Senator Lieberman.

Mr. LIEBERMAN. Thanks, Congressman Sherman. The first thing I want to say is, respectfully, offer a somewhat different viewpoint from the outside about what will happen here in Congress.

I am not prepared to say, based on conversations I have had with members of both chambers in both parties, that this agreement will be approved or disapproved and a Presidential veto will not be overridden.

I think people's minds are open. People are concerned. They are going to look at the agreement. I myself have said that whether Congress would override a veto by the President would depend on the specific terms of the agreement and now we have seen the agreement and the fact that it legitimizes Iran eventually as a nuclear weapons power and that even more important in the first instance the access, the inspections provisions are full of holes and don't give us any hope that this country which was constantly cheated in its international agreements will abide by the agreement here.

So I think it's definitely possible that this agreement will be rejected by Congress and a President's veto overridden.

And to me that would be the best of all results. If it is not, the latitude of future Presidents, I suppose, will be expanded if there is an initial rejection of the agreement and not the President vetoes it and the veto is not overridden because a future President can look back and reopen negotiations, perhaps even ask for a reimposition of sanctions based on Iranian behavior and based on a premise that Congress will have set, which is that a majority of members of both houses voted to—and then the Senate will take 60—voted to reject the agreement.

Mr. TAKEYH. And I would just say one thing about this, Congressman Sherman. Congressman Sherman, on Page 3 of this agreement it says upon expiration Iran will be treated in the same manner as any other non-nuclear state party to NPT. That is Japan. You don't like that phrase, you have to renegotiate it out of this agreement.

Mr. SHERMAN. Yes, and you have to have a President who demands that and puts all options on the table.

Mr. TAKEYH. I do think that one path would be, and unfortunately it's not in this agreement—it has to be renegotiated—is to suggest that after 10 years all the parties to this agreement, 5+1 and Iran, will vote whether to extend the restrictions.

There is a precedent for that. It is called the NPT. Recently, when NPT expired all members voted after 25 years to actually extend its particular provisions permanently. That has to be renegotiated in this particular agreement.

Mr. BURNS. The answer to your question, in my view, is that President Obama and his successor do three things—vigilance on inspections, number one—number two, maintain a coalition to reimpose sanctions if necessary.

That is possible although difficult. And three, retain the right to use military force if necessary. There is a strategy here where this agreement can be implemented successfully.

Chairman ROYCE. Chris Smith of New Jersey.

Mr. SMITH. Thank you very much, Mr. Chairman.

Thank you for holding this extraordinarily timely hearing and thank you for our distinguished witnesses.

You know, not only has the Iranian Government just orchestrated death to America demonstrations just a few days ago but they continue to hold Americans—Pastor Saeed Abedini, Amir Hekmati, Jason Rezaian, and Robert Levinson. We have had hearings on that and they still are incarcerated, subjected to cruel treatment by this regime. And now a deal with them?

Senator Lieberman, I think your comments about how this falls far short, more risk to America—Ambassador Burns, you mentioned that it's not a perfect deal.

Who expected a perfect deal? That is almost like a straw man argument, with all due respect. We hoped for a better deal where other issues like ballistic missiles, the whole issue of enrichment, which always was a foundational premise of a deal, they're off the table and now there will be enrichment allowed. And again, I think that was a major, major mistake.

In a statement of what I consider to be bad faith, President Obama vowed to veto, to block any congressional move to block this agreement.

This is day one. He is already talking veto. If it is such a good deal, why not persuade Congress and, by extension, the American people about its contents? Instead veto card goes right up—red card. It is not going to go forward.

Managed access—one of several Achilles' heels—how is that defined? How does that apply to suspected military sites on a regional nuclear arms race?

We all want peace and nuclear weapons are the antithesis of peace. Will this begin or foment a nuclear arms race in the region? Perhaps Senator Lieberman, you could touch on that.

Ambassador Burns, you talked about how the deal buys us 10 years. Well, if Iran is newly infused with cash and the sanctions were not aggressively or as aggressively implemented as they could there are always some caveats that were allowed including oil to China, which was a lifeline. Now we have a situation where they are going to get huge infusions of cash, which will hurt, obviously, the region.

It will be a multiplier effect—fourth multiplier for terrorism. That is a very serious problem. The existential threat to Israel, you know, we all know what Netanyahu said—an historic mistake for the world. Perhaps you might want to comment on that.

Let me ask you also, one of the key questions is whether or not the Obama administration and the P5+1 partners can be trusted to punish Iran or even proactively acknowledge Iranian violations of the agreement as they are likely to occur. What will happen or are we going to submit it to a committee and nothing happens? Senator Lieberman.

Mr. LIEBERMAN. Thanks very much, Congressman Smith.

So let me just respond to the question about Nonproliferation, and this is going to go be an ironic and, I think, painful result which is that an agreement presumably to reduce the presence of nuclear weapons in the Middle East, because it eventually allows a radical state like Iran to get nuclear weapons, will in fact encourage other powers within the Middle East to invest in nuclear weapons capability and that is a—that makes the Middle East, which is already boiling with various kinds of conflict, even more literally explosive.

Look, to Saudi officials within the Saudi Government have already said to people if an agreement between the P5+1 and Iran enables Iran to become a nuclear weapons power they are not going to wait until that happens.

They are going to begin to build up their own capacity for nuclear weapons. So the fact that—I looked at this in my opening statement from the point of view of America.

I said this agreement has much more risk for America and much more reward for Iran than it should. It's not the good deal that we all wanted. But governments in the Middle East area also making the same calculation throughout the Arab world and, of course, Israel and they are going to take actions based on that calculation.

If we think it's a bad deal I think they are going to think it is a terrible deal because it is their neighborhood and the result will be exactly the opposite of what was hoped for here, which is a more peaceful Middle East. It is going to be a much more violent and potentially explosive Middle East.

Mr. SMITH. General Hayden.

General HAYDEN. Very briefly, Mr. Smith, the more the administration argues it is this deal or a vote for war the more you take off the table the ability of the United States to use military power to coerce the Iranians.

I don't think anyone believes that is a realistic option at the moment. In fact, I don't think they believe that for more than a year or 2 going back.

And so that does actually weaken our position in order to get the kind of behavior we want from the Iranians.

Mr. SMITH. Let me just very briefly ask about in the report itself—this is the actual agreement, although there are annexes, apparently, that none of us have seen yet. It says Iran intends to ship out all spent fuel for all future and present power and research nuclear reactors. It says intends. Doesn't say requires. Are there requirements in this for that? Intends—I mean, that is pretty weak.

Mr. BURNS. I understand it's a requirement.

Mr. SMITH. Then why would they put "intends" in the text of the agreement?

Mr. BURNS. I don't know. But I understand it's a requirement. It's part of the deal.

Mr. LIEBERMAN. I'd say it is a good question, Mr. Smith, and one that I am sure you and the committee will get answered when the administration comes before you to support this.

Mr. SMITH. Thank you. Thank you, Mr. Chair.

Chairman ROYCE. Okay. We go to Mr. Gregory Meeks of New York.

Mr. MEEKS. Thank you, Mr. Chairman.

Let me first ask, I was listening to Ambassador Burns' testimony and during his testimony one of the things that he highlighted was if the United States had walked away—if we would walk away and we just said no and the other partners were trying to strike a deal, so I guess my first question maybe I will ask it to General Hayden: Do you think that we should walk away even if that meant the dissolution of the P5+1 and the unity that we have had for both the last 20 months? Would you walk away from such a deal?

General HAYDEN. Mr. Meeks, I think what's happened is if we did that today it would dissolve the unity of the P5+1 and we would be blamed for it. But that is a corner we have painted ourselves into by accepting the agreement.

Mr. MEEKS. So right now, though, you would agree then it would make it quite difficult to hold the coalition together.

If we walked away we would get blamed and so therefore the sanctions that have brought Iran to agree to negotiations when I think it was also Ambassador Burns' testimony that the Bush administration tried to get Iran to agree to negotiations and they would not at that time.

So there has been a tremendous—there has been a change from what took place at the end of the Bush administration because we didn't have this outside unity with the P5+1 and if we did not have that—now, that could relieve some of the pressure on Iran and for me the only thing that I am looking at in these negotiations is what is the opportunity to stop Iran from having a nuclear weapon?

General HAYDEN. I understand perfectly. I think the Russians and the Chinese peel off immediately because they didn't want to be there in the first place and it was actually quite a high level of skill to get them into the circle to pressure the Iranians.

I think there is greater hope with the EU, the French and the British although, again, we have painted ourselves into a corner by accepting the things we are questioning now and for us to undo those would make it very difficult—

Mr. MEEKS. Well, the problem is, which I intend to find out, is, you know, while the negotiations were going and who was saying what to who, you know, we weren't in the room. So how that negotiations took place and who was demanding what within the P5+1 becomes important.

I think it is important for Members of Congress before we make a decision is to try to talk to our colleagues in the P5+1 to find out what their feelings are, to find out where they are on this and what's important.

It is important to talk to scientists, not just the politics of it, but talk to IAEA, to go to Vienna. I would suggest that members of this committee travel to Vienna and talk to the IAEA and talk to scientists to see if what is in place in this agreement can do the inspections. Would that prevent, in their opinion as scientists, not politically but as scientists and as much as we can because from my viewpoint, you know, having had—and I agree with Senator Lieberman—this is a very important vote and I can't leave it in a vacuum because I had another important vote and that was back when we decided, you know, was talking about Iraq and there was questions then of whether or not we should have diplomatic relations—should we debate, should we go further, should we have verification. And what happened at that particular point we said no. There was imminent danger of Iraq having weapons of mass destruction.

They had them. And I can remember, you know, the case went to the U.N. We took the case to the U.N. that there were these weapons.

And we are still—I don't want to go back but we are still—I think we should learn a lesson because we are still paying for that when we didn't do everything that we could first because if we did everything that we did first and they still had weapons we could have done what we did anyways.

And so here we are again with the opportunity and I agree that this is not perfect. I don't know any perfect bill that has ever been made in this United States Congress, ever, in the history of our country—not one. So I am not looking for a perfect bill.

General HAYDEN. No, no. I agree. The correct question—I think you've just framed it—is this deal good enough that we should avoid sliding from that position into a position that any deal is better than no deal.

Mr. MEEKS. I agree. But we ought to also keep in context that we are not dealing by ourselves or doing it unilaterally.

Everything that I hear most saying is just us. Forget about the other five partners to this deal. This is what—there is other when you have negotiations and I think that leadership, the leadership keeping this group together that is leadership so that we can get to this point because otherwise we don't get here and we don't have any choices.

This at least gives us a choice, a chance, and shouldn't we at least look at it and talk to scientists? I mean, this bill just was struck this morning, for God's sake. We haven't talked to any scientists. We haven't gone to the IAEA to see what they've done. We haven't gone to Vienna. We haven't talked to our partners in this negotiation.

That is our responsibility as Congress, don't you think, as opposed to us just making a decision like today what we are going to do?

General HAYDEN. No, that is—I think the position all of us have here is the fine print here really matters and there is little or no margin for error.

Chairman ROYCE. Let us—shall we go to Mr. Dana Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman, and again thank you, Mr. Chairman, and Ranking Member Engel, who is not with us today. But both of you provide such great leadership on this issue and other issues of great significance.

Let us note that the agreement that was being discussed today is being held with a government entity that holds four Americans illegally hostage.

Let me note that my staff is preparing legislation that would permit our President to take non-diplomatic Iranian officials into custody until their government and their clique returns these Americans who they are holding illegally.

Now, of course, we won't do that because we don't want to make the Iranian mullah regime angry by doing something like that. In fact, we have refrained.

The mullahs have already won a great deal by this elongated negotiation because for all of these years we have been refraining from supporting the democratic elements in Iran against the mullahs for fear that it would upset the negotiations over the nuclear deal.

So we have already been a loser even before this supposed agreement.

What I would like to ask does anyone on the panel know whether or not this agreement includes an Iranian agreement not to obtain a nuclear weapon from another source rather than building one their own?

Mr. TAKEYH. I think this agreement stipulates that Iran will be a member of the NPT and as a member of NPT it has foregone, presumably, a nuclear weapons option.

Mr. ROHRABACHER. Okay. So the answer is yes, part of this agreement is that the Iranians have agreed not to obtain a nuclear weapon from someone else?

Mr. TAKEYH. It says Iran will become a member of the NPT in good—if it becomes a member of NPT in good standing then it foregoes the option of actually having a nuclear weapon.

It doesn't specify the source of that. But it essentially forecloses the option as a matter of principle.

Mr. LIEBERMAN. Mr. Rohrabacher, if I may just add—

Mr. ROHRABACHER. Yes.

Mr. LIEBERMAN [continuing]. It seems to me that Iran has developed a lot of the nuclear capability that it has today in violation of its obligations under the Nonproliferation Treaty. So I am just offering that as more evidence that—Dr. Takeyh is right, of course.

They shouldn't do this under the NPT but they violated the NPT wantonly for years before.

Mr. ROHRABACHER. I see. So in other words, according to—if we can expect the same type of behavior with—that they made with other agreements with this agreement they could easily—even with all these other inspections we are talking about they could obtain, let us say, a nuclear weapon from an illegal source.

Now, another question for the panel—we have some people who know about U.S. intelligence, et cetera, with us today—are there nuclear weapons that some countries or some groups might be able to obtain on the market rather than develop—having to build their own weapon?

General HAYDEN. Of course, always watching the North Koreans. We saw the North Koreans build a plutonium reactor in the eastern Syrian desert—

Mr. ROHRABACHER. Okay.

General HAYDEN [continuing]. That we detected just at the last minute. Just to spin off the scenario that Senator Lieberman has talked about with regard to the Sunnis and how they will respond to this, I mean, one very possible scenario is that the Saudis will then go to the Pakistanis in order to get nuclear devices to balance what they view to be the Iranian threat.

Mr. ROHRABACHER. So what we have is basically a situation where we have not refrained from supporting the democratic elements in Iran, which is the real solution is getting rid of the mullah regime and getting a democratic government in there that doesn't seek to possess nuclear weapons.

But, of course, we have actually undermined that opportunity by—over these last 6 years and in fact this agreement may undermine it further.

And well I thank you all for your testimony today and I think that you have given us a lot to think about and I would hope that all of us here do our duty and I don't think it is a tough decision.

I think it is very clear that this is a rotten deal and but we will keep an open mind to see if we can be convinced that there is some other benefits to it. Thank you.

Chairman ROYCE. Thank you.

Karen Bass of California.

Ms. BASS. Thank you, Mr. Chair.

I had a few questions that really kind of focused on the process and also the consequences of our actions. And so a couple of people have asked questions about our partners from the other countries.

So I was wondering about the P5+1 and wanted to know if they have a similar process where they are voting in their legislative bodies, what happens at the U.N. and maybe you could put it in sequence, Ambassador Burns.

Mr. BURNS. Thank you very much.

The P5+1 group was put together by the U.S. in December 2005. It has been the core of the international effort and one of the reasons why I am supporting the President's initiative.

I think that if you keep this group together that is the leverage point and pressure point through sanctions, inspections on the Iranians. If the group dissolves then we really lose our leverage.

It's a disparate group. The French, of course, the Germans and the British will have to go back and report to their—the Bundestag and the two parliaments on this deal. They are democratic countries.

I am very strongly assured that President Putin doesn't really have to worry about the Dumas very much.

Ms. BASS. So do you have any sense of France and Britain? I mean, will their legislative bodies approve it? What is your sense of that?

Mr. BURNS. My sense of the politics in Europe is that in the main the parliaments and the public are strongly supportive of this deal. I think that is true in Europe, almost across the board.

The interesting country here is Russia. We are sanctioning Russia over Ukraine.

Ms. BASS. Right.

Mr. BURNS. And deservedly so. And yet we are going to have to work with Russia to try to keep them on our side here. The country that I think is weakest is China because they tend to be motivated by commercial purposes almost to the exclusion of strategic thought that we have to be worried about because, you know, we have to worry about law and order in the Middle East.

And so it's a very difficult coalition. But behind it, of course, you have also the major purchasers of Iranian energy and I mentioned them before—Japan, South Korea and India—very important that we keep them in this coalition as well.

Ms. BASS. How do you see this playing out at the U.N. Security Council?

Mr. BURNS. Well, I think there is no question that part of the implementation of this agreement will be that there will be a new Security Council resolution that will put this new agreement into force that will take away the sanctions, at least those that have been voted upon by the United Nations. And if the five permanent members are all in agreement they will win the vote.

They need nine votes to carry a resolution. I think it is pretty much assured that they will win that particular vote.

Ms. BASS. Do you have any concerns that any of those countries will exercise their veto power?

Mr. BURNS. No. I think the deal worked out is that they all agree they will not exercise the veto, that they are all going to go forward. This is the way to implement the agreement. So I think there is zero percent probability that any country would use the veto.

Ms. BASS. So if we turn this down and we override a veto, what do you see happening then? How does it play out in the international arena?

Here are all these reports about planes full of people who want to go over and make business deals for various countries. So if we override the President's veto what happens then?

Mr. BURNS. I think if the President vetoes a vote of disapproval, if that is then overridden, I think you will see the dissolution of the P-5 group, the breakdown of solidarity around the world on sanctions, the commercial impulse of a lot of these countries to do business with Iran, will take over.

Iran will then be in the position of getting sanctions relief, right, effectively from most of the world. But they also won't have any constraints on their nuclear program.

Ms. BASS. Well, I was going to ask how would we hold them accountable. I mean, if we back out then it's not us holding them accountable. But how will the rest of the world in the P-5—because it won't be +1.

Mr. BURNS. Iran won't be accountable. Iran will be able to proceed on a plutonium and enrichment program that they haven't been able to do now for 13 months and this does get to the very important question.

We are all trying to define what is the question. My question is what is the best alternative for the United States as we live in the real world?

We are right here in the middle of 2015. I think it is this deal. We can't go back and design a better process 5 years back. I also would disagree very respectfully with Senator Lieberman and General Hayden on one question.

If we are worried about proliferation that the Saudis or another country might want to compete with the Iranians and develop a nuclear weapon or buy one, the scenario for that is a breakdown of this deal that leaves the Iranians without constraints on their nuclear program.

The way to resolve the proliferation problem and reassure the Gulf Arabs is to lock and freeze in the Iranian program for the next 10 years.

Ms. BASS. If we overrode the veto also how would we get—you said sanctions would break down and let's just say we wanted to bring sanctions back again—how would you be able to bring them back?

Mr. BURNS. Well, if that happened, hypothetically, obviously the President and the Secretary of State would want to reassemble a sanctions regime against Iran if Iran had broken the agreement and if Iran was proceeding with its nuclear research it could be—

Ms. BASS. What does—one last quick question.

Mr. BURNS [continuing]. It would be difficult to do.

Ms. BASS. Okay. So whether it's 10 years at the end of—if we get to year 8 and 9 and I am asking you this based on your previous experience because it kind of comes across like 10 years happens and then everything goes back to normal.

Wouldn't a new agreement begin to be negotiated around year 8 or year 9 or are you just sitting and waiting until 10 years is over?

Mr. BURNS. If you still had the Ayatollahs in control, if you still had a radical government in Tehran you'd have to put together, I think, another sanctions regime, pressure points on Iran, threaten them, reserve the right to use military force if they sought a nuclear weapon. You'd be back in that game.

Ms. BASS. Okay. Thank you, Mr. Chair.

Chairman ROYCE. Thank you. We go to Steve Chabot of Ohio.

Mr. CHABOT. Thank you, Mr. Chairman.

Senator Lieberman, I will begin with you, if that is okay. As has already been mentioned, Prime Minister Netanyahu had referred to this agreement as a mistake of historic proportions.

What position does this put Israel in?

Mr. LIEBERMAN. Thanks, Congressman. Obviously, Prime Minister Netanyahu and the leadership of Israel is better prepared than I am to make a statement about that.

But this is a room full of friends and supporters of Israel and it is very clear that based on the violent anti-Israel rhetoric of the Islamic Republic of Iran, based on the support by Iran of the terrorists who know threaten Israel including, particularly, Hezbollah and Hamas the idea that the Iranians would have a nuclear weapon in the foreseeable period of time assuming they kept the promises that they made about the first 10 years is very threatening to Israel.

And I think it will lead the Israeli Government to make its own decisions about what it can do to better protect itself. Incidentally, one of the interesting things, as you all know, the Israeli political system is quite lively, a lot of opposition.

But from what I see the feeling about this agreement and that worry about it in the weeks preceding it is shared across a very broad spectrum of the Israeli political establishment.

So to be more specific, the Minister of Knesset, Herzog, who was the leader of the opposition has basically said the same things about an agreement—a bad agreement—on nuclear weapons with Iran that Prime Minister Netanyahu had said.

Mr. CHABOT. Thank you. General Hayden, let me turn to you at this point. When you combine the lifting of the arms embargo and this agreement shouldn't it be greatly concerning to us, our security, that the concern that intercontinental ballistic missile technology and information goes from Russia to Iran and that puts us directly in harm's way here from a nuclear-armed Iran somewhere down the road?

General HAYDEN. Well, it certainly puts us in a position of being more threatened by a more capable Iran with or without a nuclear device.

The Senator talked about Israel and its position on nuclear weapons and how this really frightens the Israelis. I think there is another element to it.

Yesterday, Iran was an international outlaw. Today they are not. And that will allow the normalization of a whole host of relationships as you're suggesting that will allow the Iranians to grow in strength.

Now, next comment about we need to work hard to make sure that doesn't happen because they are engaged in egregious behavior throughout the region is certainly true and aspirational.

But I do think for the rest of the world this is welcoming this Iran, the one that has not changed, back into the family of nations and that is very problematic.

Mr. CHABOT. Thank you. Dr. Takeyh, I have limited time left. So let me put two questions to you, if I can.

One is, isn't it likely that with this deal you are going to see a pretty significant reaction by the Gulf States and the Saudis, that they have to counter a much stronger Iran now that ultimately is going to have nuclear weapons in all likelihood as a result of this, so that you're going to see in essence an arms race there?

And secondly, this—given 2 weeks' notice before you can inspect you can move a lot of incriminating evidence with 2 weeks' notice and then negotiations probably after that as well. Wouldn't that be accurate? And I will give you whatever time I have left.

Mr. TAKEYH. Sorry. Whether this can lead to proliferation, my suspicion is—my guess is that the Saudis and the Gulf States are going to try to match Iran's capability.

Now, Ambassador Burns said that this would happen in absence of a deal. But it hadn't happened in absence of a deal.

It hadn't happened in absence of a deal because the trust and confidence that those countries had in the United States and its intentions to severely restrict the Iranian nuclear program.

That intention is no longer in practice. This agreement says that Iran will be treated as NPT. I would like to hear, and I have never heard, a defense of the sunset clause.

The only thing I hear about the sunset clause is if it is about to expire we can try to not have it expire. That is not a defense of the sunset clause.

If you defend this agreement you should defend why it should expire in 10 years. That's the intellectually consistent position.

In terms of your verification demands, the verification procedure will be in place once the IAEA has credible evidence of untoward activity. That is not a card you can play every day, that there is something suspicious happening in a non-declared nuclear site.

And then it will ask the Iranian Government for permission to deal with that particular.

In the annexes that I have seen I don't know what that means in terms of inspecting the military facility. Do you do environmental sampling? Do you go through the whole thing? I don't know the answer to that. It is not obvious to me in the annexes that I have seen but maybe I should probe them more.

And then if there is a dispute it will go to a resolution dispute committee. Every arms control agreement has a verification dispute committee.

Once that committee says well, Iran is wrong and the IAEA should have access, Iran says not, it will go to the Security Council and Ambassador Burns knows all about the Security Council.

The Security Council can do lots of different things. The Security Council cannot impose economic sanctions on Iran. There is no country called Security Council.

It can recommend national measures but those national measures will subsequently have to be negotiated case by case by the United States Government as was done for the past 10 years when successive American diplomats went to Europe and elsewhere trying to restrict Iranian commerce.

Mr. CHABOT. And during that long period of time that you've set out, there are no inspections?

Mr. TAKEYH. On that particular—on the cleared side? No.

Mr. CHABOT. Thank you. I yield back.

Chairman ROYCE. All right. We go to Mr. William Keating of Massachusetts.

Mr. KEATING. Thank you, Mr. Chairman. I'd like to thank the witnesses for the seriousness and the tone with which they conducted themselves in this hearing and the thoughtfulness as well of my colleagues.

I think that—I hope this is a harbinger for the way we are discussing this issue going forward because it is, indeed, one of the more serious issues we'll have and I know for one I think I speak for most of Congress that we are just beginning to digest this and in no position to take a position on this.

Yet, many of your comments have been thoughtful and I share many of them. That being said, I just want to go back. There is a few areas of interest.

Ambassador Burns talked about how the coalition is likely to unravel and then we would lose our strength in terms of the sanctions.

There is another area that might change if this is stalled or if we walk away from this and that is the issue that we are negotiating with Iran before they have the nuclear program in place.

What would the negotiations be, in your mind, after they have that? How much more difficult would it be? How would they be limited if we wait? I think that is an important question that hasn't been asked. Ambassador Burns.

Mr. BURNS. Thank you, Mr. Keating.

May I just take this opportunity to say I am one of your constituents from Westport, Massachusetts. So thank you very much for your representing us in Congress.

Mr. KEATING. Well, I am doubly glad that I commended all of you on your—

Mr. BURNS. I am too. You know, we have had a bitter experience with North Korea that both General Hayden and Senator Lieberman and I have all been involved in this.

And once North Korea obtained nuclear weapons it has become almost impossible to negotiate with them because they have leverage right now.

And, of course, they have some protection from China as well. So I think that both President Bush and President Obama have been right to go at this in a more direct way and try to stop—by negotiations—the Iranians before they cross the nuclear threshold.

What President Obama has been able to do, in my judgment, is buy us 10 years. And I agree with Ray and everyone else here. We can't hope that the Iranians will change. I bet they don't.

So we are going to have to go through these 10 years with a lot of vigilance, a lot of toughness and maybe even replay all this 10 years from now. But we bought ourselves 10 years.

And we do have international unity and in the end even someone as cynical as President Putin doesn't want Iran to become a nuclear weapons power. Russia lies closer geographically to Iran than the rest of us do.

In an interesting sort of way, the Russians have not broken consensus, despite the fact that we are sanctioning them on Ukraine.

So I think this is the time for negotiations and I do believe, reflecting on the history of a post-9/11 era we should exhaust diplomacy and then if it fails—and this could fail—then we always have the military and the military option to rely on. I think that is the proper sequence.

Mr. KEATING. I am trying to get in another couple questions. Let us see if I can. One of my concerns was raised by Ambassador Burns, and Doctor, you addressed your opinion on this, but the idea that if this agreement would result in Saudis and the Gulf States just moving forward.

Now, they were at the 1-yard line, you know, to getting to their nuclear program and there is no doubt in my mind going the 99 yards. They are going to go do that.

So if they are going to get that anyways, wouldn't any decisions by the Saudis or other countries, wouldn't they have done that anyways?

Aren't they going to do that—my point is I hope you're following this that it's not any agreement that is going to all of a sudden

make them go forward with their armed nuclear programs. But in the absence of an agreement they are going forward anyways, at least I believe that.

So I think it's kind of a moot point about the other countries moving forward. But I understand, Doctor, what you said. Then any of the other panelists have a view on that?

Mr. TAKEYH. The Gulf States have not moved forward.

Mr. KEATING. Well, but if this becomes a reality one way or the other they are likely to. That is your consensus?

Mr. LIEBERMAN. Go ahead, General.

General HAYDEN. I will have very, very quick view, Mr. Keating. Right now, they really haven't and they haven't because we go into the huddle with them. We are part of their team.

There is going to be a perception that we have not quite switched sides. We have gone to the lead commissioner's office and we are no longer playing on their squad.

Mr. KEATING. All right. If I could—

General HAYDEN. We will want to pursue it.

Mr. KEATING. I just want to get one more question in. Of course, I am very sensitive to going to the League for sanctions, being a big fan of the New England Patriots. But that is another issue.

Quickly, at least I will raise the question—I don't know if time will permit. But I think that of concern too is that if the coalition unravels, you know, that creates a problem. But if Iran violates how easy will it be to reconstitute that coalition for sanctions again? And that is a real concern.

Mr. LIEBERMAN. I think, first, I should reassure you that I have a lot more confidence in Tom Brady than Ayatollah Khomeini and that goes without saying.

So, you know, it has been great to have the P5+1 together. It strengthened our position. But I think we have to talk about trade-offs, which Ambassador Burns has spoken of.

I think—I would have us reject a bad deal and run the risk of having the P5+1 coalition dissolve than to accept a bad deal which will compromise our security and that of our allies in the Middle East.

I mean, I think we—in my opinion part of what has been lost here is that the Iranians needed this agreement more than we did. It didn't seem like that but they are in a lot more trouble than we are, certainly economically, and they benefit a lot from this.

If for some reason the P5+1 coalition falls apart we are still the economic superpower of the world and access to our banking system is still necessary for economic growth.

And so we have the capacity ourselves to reimpose sanctions on them.

Mr. KEATING. Thank you. I have gone over my time and other members want to talk. But thank you all. Mr. Chairman, I yield back.

Chairman ROYCE. Joe Wilson, South Carolina.

Mr. WILSON. Thank you, Mr. Chairman, and I am grateful just as Mr. Keating for Chairman Ed Royce and Ranking Member Eliot Engel for the bipartisan explanation of the threats to the American people.

Additionally, I am very grateful for the panel being here today. You are making a difference explaining this to the American people.

I am disappointed the President has made dangerous concessions when negotiating with the Iranian regime. This regime sponsors terrorists who attack American families and openly calls for death to Americans and our allies, especially Israel.

This bipartisan concern, I believe, has been expressed so well today by the courage of Senator Joe Lieberman. Your testimony today that this is a bad deal which should be overridden, thank you very much for your courage.

Foreign Policy Initiative board member William Kristol wrote today, "It is obviously a very good deal for the Iranians regime, a very bad deal for America. Congress should pass a resolution of disapproval. Congress then should override the President's veto and return America's Iran policy to dealing from a position of strength rather than supplication."

In the coming days, I hope the American people are allowed to consider the agreement truthfully and hold the President accountable.

In an effort to achieve political gain, President Obama has ignored Congress and the American people and I believe is establishing a sad legacy of a murderous regime with nuclear intercontinental ballistic missiles targeting American families.

I agree with Israeli Prime Minister Benjamin Netanyahu: This is a mistake of historic proportions. With that in mind, Senator Lieberman, it should be remembered that the Secretary of State designated Iran a state sponsor of terrorism January 23, 1984, over 30 years ago.

This was in response to the October 1983 bombing of the U.S. Marine barracks in Beirut, killing over 300 Marines.

This was perpetrated, people need to remember, by the Iranian regime. Keeping that in mind, has there been any change of course by the Iranian regime leading up to the negotiations that have occurred today or been agreed to today?

Mr. LIEBERMAN. Thanks, Congressman Wilson. This is a very important point. It is easy to get focused on today and forget tomorrow but tomorrow tells us who this agreement is with.

Let me be really explicit about it, as you have been. This Iranian Government, the Islamic Republic of Iran, has the blood of a lot of Americans on its hands.

The Marines at the barracks in Beirut, the soldiers at Khobar Towers, I could go on and on. Incidentally, hundreds of American soldiers were killed in Iraq by Shi'a militias that were trained in Iran by the IRGC.

So your question is a good one—has the government changed. There is no evidence of it. Somebody said before that, and I have heard it before—Iran has two governments. I don't think so.

Iran has one government and two faces. The government in power is Ayatollah Khamanei and the IRGC. The face that they put out occasionally is Prime Minister Rouhani or President Rouhani and now in these negotiations the Prime Minister Zarif.

But does anybody really think Zarif and Rouhani are really representative of their government? No. Not in the final analysis. So

your question, as you consider this agreement, is you got to remember that who you are making the agreement with is very important.

Mr. WILSON. And additionally the IEDs—improvised explosive devices—that killed hundreds of Americans in Iraq and also in Afghanistan—I had two sons serve in Iraq, another in Afghanistan.

They had to face Iranian weaponry and for this to be disregarded is incredible to me. And I want to thank you too. You brought up about the government-sponsored newspaper in Tehran and people need to know what the exact quote was and that is that they predicted the U.S. “will one fine day cease to be visible on the map of the world.” I mean, goodness gracious, what are we facing?

And General, by lifting the economic sanctions what will this do to our efforts to stop the degrading of terrorism and what does this do to the stability of Iraq, Syria and Yemen?

General HAYDEN. Congressman, it just increases Iranian capacity across the board. That is an unavoidable consequence of this. It may be something we are willing to pay the price for?

I don't think so because of the nuclear portfolio. But unavoidably Iran is more capable of continuing the policies it has been following for the last several decades and there is no evidence that this agreement or anything else is going to make the Iranians change that course.

Mr. WILSON. Thank you very much, each of you.

Chairman ROYCE. Thank you. We will go to David Cicilline of Rhode Island.

Mr. CICILLINE. Thank you, Mr. Chairman. I too want to thank the witnesses for your thoughtful testimony and for assisting us in what will be a very consequential decision not only for our country but for the security of the world so thank you.

I want to just start by saying that I think the objective of these negotiations, at least as presented to me, was always preventing a nuclear Iran and that it is important that, as we decide whether to support or disapprove this agreement, it should be measured against that objective. There is lots more work to do and lots of action and pushing back that needs to take place. But nobody should have imagined that this agreement would solve all of the challenges we face and result in a complete transformation of the ideology, behaviors or intentions of Iran because if that is the test there's no question that the agreement fails.

The question is does it achieve a non-nuclear Iran. Senator Lieberman, you just testified that it allows Iran to be a nuclear weapon state and makes it inevitable. The President this morning, in describing this agreement, said, and I quote, “that it is a comprehensive long-term deal with Iran that will prevent it from obtaining a nuclear weapon.”

So I will start with you, Ambassador Burns. Who is right? I mean, if the objective is to prevent a nuclear Iran, Senator Lieberman has said it is inevitable because of this agreement. The President says it will not happen because of this agreement. That is the question we have to decide.

Mr. BURNS. I respect Senator Lieberman's position here because he's spent decades on this issue and I don't want to take issue with him at all, in this sense.

I don't think it is possible to say that this agreement will 100 percent prevent Iran from becoming a nuclear weapons power. They could achieve that through covert means.

So I think that would be the wrong way to look at this. I think it gives us the greatest probability of preventing that and that is why I am supportive of it.

I see the down side and I think Congress will have to struggle through what we have all talked about this morning—will the inspections be strong enough—can you reimpose sanctions, right?

What is the nature of the regime? But I am convinced we have to try this first and we have to be vigorous in trying to implement it and if it works we are ahead of the game. If it doesn't work we have other options. We do have other options.

But I wouldn't say that if you are opposed to this deal, that somehow leads to war. I think that is false, too.

I actually think if the deal unravels the Iranians won't be—the Iranians are smart enough they won't go to the nuclear threshold.

They will go—they will be some ways behind to not invite a military response. So I think the rhetoric, if you are against it, you are going to get a war is not correct.

And if you are for it, you can't assure the American people there will be no nuclear weapon. I think the reality is very complex between the two.

Mr. CICILLINE. And building upon that, Ambassador Burns, much of the argument has been made even today that what this agreement attempts to do is buy a decade—buy this period of peace or a period of at least Iran not moving toward a nuclear weapon.

The argument, of course, being that the end of that period, some would argue, Iran will be stronger. They will have greater economic success. They will be able to withstand the imposition of sanctions better than they are today. Our argument on the reverse side is that we will know more about the nuclear program than we've ever known before as a result of intrusive inspections.

So it seems to me that is one of the other questions we need to struggle with is where do we end up. Because presumably, according to the agreement, no options are off the table at the end of that period.

Military options, all the options that are available today remain available. The only question is what is the difference in the strength of our positions.

Mr. BURNS. Right. And I think one way to look at this analytically is that there is a lot of risk here in going forward. There is a lot of risk in not going forward and disapproving and you have to try to weigh the risks on both sides.

I think there is a legitimate case to be made, and Ray Takeyh knows more about this than I do, that there is a possibility this regime is going to change—become less virulent, less aggressive. But we can't bank our strategy on that. Hope cannot be the basis of that strategy. So we have to be prepared for either outcome. We would take advantage of a positive turn of events. We have to be very tough if 10 years from now this regime hasn't changed and tries to turn back toward a nuclear futures.

Mr. CICILLINE. Dr. Takeyh, can I follow up with you? One of the things you said is you challenge the supposition that you can chal-

lenge a revolutionary state and have an arms agreement, which is, of course, exactly what this proposal attempts to do. Why do you think we can't do both of those things?

Mr. TAKEYH. I think in the context of U.S. relationship with the Islamic Republic—what I will suggest then, Congressman, is it is difficult to maintain an arms control agreement as well as coercive leverage because the principal course of leverage we have exercised on Iran is economic.

We have never responded to their military attacks on the United States and Iraq and elsewhere. And the course of leverage of economics this agreement commits the United States and the international community to unwind economic sanctions on Iran over a decade. So your coercive menu shrinks. And once it shrinks from economic instruments you have military at your disposal and I just don't think there is a military solution to this. So basically if you want to pressure Iran and historically we have pressure through economic sanctions that option is becoming less available as you are statutorily committed to unwinding those sanctions.

Mr. CICILLINE. General Hayden, if I could just ask one last question of you and Senator Lieberman. What do you think happens if the deal is disapproved by Congress—the veto is sustained? What do think happens next?

General HAYDEN. We are in absolutely uncharted waters, Congressman. It would depend on the strength of the American argument, the willingness of the administration to go to our allies and explain why we have chosen a new course of action. And as the Senator pointed out, we are a powerful nation on our own.

We can impose very powerful sanctions on a variety of fronts across the Iranian, economy, particularly the Iranian banking system. But as Ambassador Burns points out, the more international consensus we get the more coercive pressure we can bring to bear.

Mr. LIEBERMAN. A real quick response, Congressman. If this agreement is rejected by Congress, nobody can predict what will happen. But I would say that I would hope that the administration would try to regather the P5+1 and basically go back to Iran and say we couldn't sell it—we got to do a better deal here. And, again, I believe that Iran needs a deal much more than we do.

The other thing is that at that point we probably would want to look at increasing sanctions to give them another motivation to come back and making credible the President and Congress that we are prepared to use our military power if our intelligence tells us that they have actually turned the corner and are beginning to nuclearize their program.

Mr. CICILLINE. Thank you, Mr. Chair. I yield back.

Chairman ROYCE. Michael McCaul, chairman of the Homeland Security Committee.

Mr. MCCAUL. Thank you, Mr. Chairman. Let me thank the witnesses.

I, in some respects, feel like the train has already left the station. Even if we disapprove of this, it is vetoed and we override a veto, this still goes before the U.N. Security Council and unless the administration exercises leadership those sanctions will certainly be lifted regardless of what we do in the United States and I think that is maybe something we haven't discussed here today.

And then from a homeland security standpoint that means we have billions of dollars being restored to the Iranians that can then go into these terrorist operations.

We know that they control five capitals now. Really, arguably, Tehran, Baghdad, Damascus, Beirut and Sinai and Yemen. That is what greatly concerns me and I don't know if we can turn the clock back on this now, now that the P5+1 has agreed to this. When I was in Europe on my codel, you are absolutely correct, Ambassador.

They are very supportive of this deal and primarily I think because they have a lot of money to be made on this. And so I don't know what we can do to stop it. I can tell you what I am concerned about is the last minute—as the chairman mentioned—the last minute arms embargo being lifted, which could lead to Russian technology in the sanctions against the Quds Force being looked at as well as not to mention, you know, when you look at the track record of the IAEA and whether they can truly perform this mission with unfettered access, which I highly doubt the Iranians are going to give us access to.

And when I look at what are they giving us access to, nuclear facility sites. It doesn't include their military facilities which, arguably is where a lot of this could potentially take place.

And then, lastly, the intercontinental ballistic missiles which have been talked about a great deal that they can mass produce and General, as you know, intelligence estimates are indicating by the end of possibly as early as next year could have capability to hit the United States of America.

There is only one reason why you produce these things. It is to deliver a nuclear warhead. So all these things put together in addition to the rhetoric I think I agree with Senator Lieberman—it is more risk for America and more reward for Iran. I want to end with this because this is probably the worst. When I was in Saudi I think Senator, and General, as you mentioned, they asked me why are you negotiating with Iran—why are you doing it?

I met with Netanyahu—why are you doing this—this will result in a nuclear arms race in the Middle East. And as you indicated, the Saudis are already taking steps now, maybe working with Pakistan, to produce their own nuclear capability. And then Turkey is going to want that, Egypt is going to want it and on and on and on.

I think that is one of my biggest concerns here is the result of all this backfiring and a not so great result.

Senator, General, if you could both comment on that.

Mr. LIEBERMAN. Well, Chairman McCaul, it is good to see. Of course, I agree with you, all your concerns, your question about what happens at the United Nations if we reject—if Congress rejects the agreement and the President's veto is overwritten is a really interesting question.

I mean, in the most direct sense you'd think that the deal, therefore, would be dead so that there would not be a basis for going to the United Nations but based on having read it one and a half times this morning I am not sure I could swear to that under oath. So it is a really interesting question and, again, I come back to what I said before.

Let us never underestimate our power. The United States not only is a military power, we are an economic power, and if we continue to apply sanctions which deny Iran and countries that deal with Iran to our banking system it is going to affect the Iranian economy and let us never forget that.

Mr. MCCAUL. General Hayden.

General HAYDEN. Very briefly, Mr. Chairman, I am trying to catch up with the agreement and read the fine print this morning.

It is not at all clear to me that this will not be resolved in New York before the congressional review period has expired and so we may have the administration going to one deliberative body about this before this deliberative body has a chance to vote.

Mr. MCCAUL. Mr. Chairman, if I could just echo that point. I don't—I don't know the answer to that either. If the U.N. Security Council approves this before Congress even has a chance to vote on it and then what happens are the sanctions then lifted by the European or international partners irrespective of what the United States does. I don't know the answers to this as, you know, this agreement just came out. But I think that is something we need to take a look at.

Mr. LIEBERMAN. Well, Mr. Chairman, if I may say so—take the liberty, you raise a really interesting question and it may be that one of the points as you start your deliberation here on this agreement that you could achieve bipartisan agreement on is to ask the administration not to go to the United Nations before they come to Congress.

I mean, that is—it seems to me that our Constitution requires that kind of respect first for congressional consideration.

Mr. MCCAUL. I agree 100 percent. I yield back.

Chairman ROYCE. Let us go to Lois Frankel of Florida.

Ms. FRANKEL. Thank you, Mr. Chair.

Well, first of all, I want to thank you gentlemen for this very anxiety-producing discussion. I know we all agree that Iran should not get a nuclear weapon. It would put the most dangerous weapon in the hands of the world's foremost sponsor of terror and most likely lead to a proliferation of nuclear weapons in the Middle East region.

And I want to say this. I think because of the seriousness of this issue that we have to all take a very objective, nonpartisan scrutiny of this issue and this prospective deal.

And I think Mr. Meeks made a point also that I wanted to echo, which is, you know, not knowing what went on in the room with our partners makes some of the deal not understandable to me because this is one of my—and I don't mean to simplify what is a 70-page agreement that has taken so many, literally, years to get to this point—but this is one of my biggest anxiety points that has been raised, which is we are going to give Iran billions of dollars. They are going to continue their terrorism all over the world. Then at the end of 15 years they are allowed to continue to enrich. So this is the part that I don't understand. What happens in 15 years? I know we will—I suspect that we are going to know more, which is a good thing.

But is Iran going to be nicer or are they going to be less susceptible to economic sanctions? That is, to me, a very sticky point. And

then on the other side of the coin, though, to me another anxiety point is, you know, if we walk away and we went to let us put more sanctions on, do you think an us versus them approach—in other words, I know we need our partners to help us with these sanctions.

Do you think they would be amenable to, you know, you have to be with us or there will be other economic consequences from the United States. So those are my two questions, if someone wants to take a shot at them.

Mr. BURNS. I would be happy to. I would just say that I think all of us agree on our opposition to Iranian support for terrorism, on the American hostages—these are vital issues.

But there is a reason why both the last two administrations have focused more on the nuclear issue. It is the greater immediate danger. And so in government, as you know, you have to make those choices and I think the choice is right to have this negotiation.

We have to pressure them on the other issues but you have to go at this issue first and foremost. Second, I don't believe that sanctions—U.S. sanctions alone—can work. I agree with Senator Lieberman that, you know, we are the biggest economy in the world and we can do a lot of damage to the Iranians.

But what really tipped the balance and drove them to the negotiating table was that the rest of the world got involved, too. And if Congress disapproves and the sanctions regime dissolves, you have lost your leverage.

Third, in that scenario, and you—a previous member asked my colleagues to my right about that scenario—if there is disapproval what will the United States do? We could go back to the P-5.

I don't think Russia and China would want to form the same coalition and go back to the first step 10 years ago in trying to pressure the Iranians. I think we would be without leverage and our President would be weakened and all the work of the last 10 years, I think, would have been undercut. And that is why I am strongly for it—despite the misgivings and tradeoffs that I see. I am strongly for congressional approval of this agreement.

Ms. FRANKEL. But Iran will most likely be stronger in 15 years, especially economically.

Mr. BURNS. Well, I would assume they would be stronger economically. We don't know what kind of country they will be like in terms of their behavior because we can't look into a crystal ball.

So we can't build the policy on hoping they will change, and there has been too much talk, I think, from some parts of the administration that somehow it is going to be a honeymoon and the United States and Iran will become partners in the Middle East. I don't see it, if you look down the litany of issues that all of us have discussed.

Ms. FRANKEL. Senator Lieberman, do you think we could get sanctions back on the table?

Mr. LIEBERMAN. I think if the Congress rejects this agreement I think the first step would be to try to go back to Iran and urge them to come back to the negotiations and, again, I repeat, just practical politics. The administration can say we tried our best to sell it. We couldn't sell it. Representatives of the people in our country, constitutional republic, said no, we don't go with it. If they

are recalcitrant then I think we have to go back to sanctions. I think we can ourselves, certainly. Can we get some of our allies? I hope so. I don't know.

I think your other point here is really important. Look, I would have loved to have this be a good deal that closed the door, as we originally said we would, to Iran becoming a nuclear power and that would have allowed us to end our sanctions on them that would have had a very tough airtight inspections regime, which you have to have with a country that has such a record of cheating and deceit and delay.

This is not it, and that is the problem, and therefore they are going to get money. So I think the—of course, we never know what Iran will look like in 10 or 15 years. But I think ratifying this agreement will make it more likely that the radicals who are in charge of Iran will still be in charge of Iran. Why?

Because they will use some of this money that they get as a result of lifting sanctions to strengthen their position inside the country, let alone what they will do to expand what they have done through terrorists and others in the region.

But they will have money to use to make people in Iran happier than they are now and it will be harder for the opposition, which is there—not supported by us or anybody else but it is there—to have a chance to overthrow the extremists.

Chairman ROYCE. We are going to go to Ted Poe of Texas.

Mr. POE. Thank you, Mr. Chairman. Thank you all for being here. I appreciate your expertise on this very sensitive, important subject.

I look at the ruling party, the Ayatollah, as a wolf in wolf's clothing. He has made it clear that he wants death to America. He said that numerous times.

And now it seems to me that the wolf has made a deal with the sheep not to eat the sheep for 10 years. And then what, supper? We don't know.

My concern is, were there ever any discussions that there needed to be free elections in Iran to let the people decide who should rule over them?

Do any of you know of any discussion about that in this deal that has been taking place for some time? Senator Lieberman.

Mr. LIEBERMAN. I don't, and I assume it was off the table and wasn't mentioned, along with a lot of the other things that bother us about Iran's behavior, like their support of terrorism and their incarceration of Americans, their deprivation of human rights of their own people. Unfortunately, you could go on and on.

Mr. POE. Public hangings of political opponents.

Mr. LIEBERMAN. Exactly.

Mr. POE. Do you agree or not that the best hope, really, for security—world security—and Iran is that they have a regime change with peaceful elections, Senator Lieberman?

Mr. LIEBERMAN. I certainly do. That is the ultimate answer and we haven't really tried or done very much to bring that about.

Incidentally, during the Cold War, even while we were making arms control agreements with the Soviets we were supporting opposition movements within Eastern Europe, for instance. We were

supporting the refuseniks in Russia. So there is a precedent for that.

Mr. POE. Do we—is this deal, the hope in this deal, based on the premise that we will trust the Iranians to comply?

Mr. LIEBERMAN. Well, so as I have said here already, Congressman, I don't think there is any basis in Iranian behavior for the last three decades to trust them and you could recite the litany of the ways in which they have justified that unfortunate conclusion.

The one way in which you could have confidence in this agreement is if the verification inspections—provisions of it—were really airtight—anywhere, anytime. But they are not. They create a whole negotiating process—as we have said, 14 days, 21 days, appeal to a board. It is an invitation to the Iranians to obfuscate and if they are caught with something wrong to have the time to get it out of the view of the international inspectors.

Mr. POE. In the area of inspections, whether you are in—whatever you are inspecting, giving notice to whoever you are going to inspect always allows them to hide or fix the problem before you get there. It seems to me with 24 days you'd be able to hide the Grand Canyon or something. I find that is a problem.

Big picture—is it still the policy of Iran today to destroy the United States?

Mr. LIEBERMAN. Well, until we hear otherwise I think we have to say it is.

Mr. POE. And Israel as well?

Mr. LIEBERMAN. And Israel, and now you will notice that at last Friday's demonstration, for the first time in my memory, visibly and audibly brought Saudi Arabia into the pantheon of those that the Iranian Government wants to destroy.

Mr. POE. And then let us talk about Saudi Arabia. Iran wants to be the big player in the Middle East. Does this deal that I have here—does that encourage Saudi Arabia, Turkey and Egypt to develop nuclear weapon capability to deter Iran?

Mr. LIEBERMAN. Yes, well, it sure does, in my opinion, and as others have said—General Hayden—it does something else. It raises real alarm in the minds and hearts of our traditional allies and the Sunni Muslim world and in Israel about whether the U.S. has changed its traditional alliance relationship with those countries and now is either tilting toward Iran or at least pulling back to a kind of neutrality.

And if this agreement is allowed to go into effect I think one of the great imperatives for the U.S. is to do whatever it can—it is going to be hard—to reassure the Muslim Arab countries, the Sunni Muslim countries, and Israel that we are still with them.

Mr. POE. And may I have unanimous consent for one more question? General, this question—I.C.B.M.s—when Iran gets I.C.B.M.s what would be the purpose and intent and where would those I.C.B.M.s be able to go to from Iran?

General HAYDEN. Well, by definition the 'I' is truly, as the Secretary of Defense and the chairman said, means intercontinental and as the chairman pointed out, those kinds of weapons have no real military or even coercive political utility.

They just have a high explosive warhead on it. Doesn't necessarily have to be nuclear but it has to be a weapon of mass destruction and, of course—

Mr. POE. Where could they go?

General HAYDEN. Well, if they are an intercontinental ballistic missile they can reach North America.

Mr. POE. They could even reach Texas?

General HAYDEN. Yes, sir.

Mr. POE. All right. I yield back. Thank you.

Chairman ROYCE. Thank you. We are going to go to Gerry Connolly of Virginia.

Mr. CONNOLLY. Reaching Texas—now we are talking crazy.

Thank you all for being here. What a stimulating and challenging conversation and I think we Members of Congress face a very challenging vote sometime probably in September.

And Senator Lieberman, welcome back to your home. I must say, Senator Lieberman, I am troubled by things you have said here today.

You agreed with Congressman McCaul—you said you agree with everything he said. One of the things he said was why engage with Iran at all. Do you think it was a mistake to engage with Iran at all?

Mr. LIEBERMAN. Thanks, Congressman, for welcoming me back. I am probably too reflexively effusive toward anybody who is a chairman of a homeland security committee. It is a bias I have.

On that particular point, I don't. I think I have said that. I didn't oppose the negotiations. I mean, I did not oppose the negotiations. I thought it was encouraging that the negotiations were occurring. It is much preferable to have a peaceful resolution to this conflict. But what I am saying this morning is that I think the result on first look—it just came about a few hours ago—is that this deal is not a good one for the U.S. or our allies and it is a very good one for Iran.

Mr. CONNOLLY. Yes, I heard you say that. In fact, I heard you counsel us we should vote no. Seems awfully early to do that but apparently you have made up your mind.

Mr. LIEBERMAN. I have.

Mr. CONNOLLY. You—well, I haven't.

Mr. LIEBERMAN. No, I understand and I just wanted to share that with you based on what was agreed to at Lausanne, which was in April, which basically says this will be a temporary freeze on the Iranian program if they keep their word and then they have the way clear to become a nuclear power.

Mr. CONNOLLY. I understand, and I think some of the questions you raised are absolutely legitimate, as are General Hayden's. But I think we have to weigh the alternative.

Mr. LIEBERMAN. Absolutely.

Mr. CONNOLLY. We can't pretend that there is a perfect alternative if we'd only choose it and I think that is some of the—some of the problems—some of the discussion we have around here.

But you also said we could just go back to the P5+1 and say we just couldn't sell it—let us start over again and let us reengage the Iranians.

Senator Lieberman, I don't know anybody who believes that that has any high probability of success, that as a matter of fact the very opposite is likely to happen.

If we disavow this agreement P5+1 falls apart and Iran races, not walks, to accelerate its nuclear development program and they are not about to come back to the table. Surely, you would at least concede that is just as likely as the scenario you laid out?

Mr. LIEBERMAN. Well, I don't know. I mean, I actually agree with what Ambassador Burns said here, that if the agreement is rejected that Iran will not rush to build a nuclear weapon. They will retool their program.

But they won't do it because they will worry that either the U.S. or Israel, if there is clear intelligence showing that they have broken out to a nuclear weapons capacity, that the U.S. or Israel will attack them militarily and they don't want that.

Mr. CONNOLLY. I take your point and that is one thing we can consider. But surely there is a chance that is not what is going to happen and when we are thinking about voting we have to weigh those risks.

Mr. LIEBERMAN. Absolutely. Look, this—

Mr. CONNOLLY. And at least the agreement in front of me limits the risk. It is a completely unlimited risk—you may be right they won't do that.

But what if you are wrong? What if, in fact, they will go down? There is a hard-line element, as you pointed out, in Tehran that would be licking its chops to see this agreement fall apart.

Mr. LIEBERMAN. I tell you, I think that all the elements in Iran want this agreement because it is so good for them economically and it strengthens their position in the Middle East.

Doesn't do anything to stop them from supporting—in fact, helps them support their proxies throughout the region more than they are now.

Mr. CONNOLLY. Senator Lieberman—

Mr. LIEBERMAN. But, you know, Congressman, again, I just want to say I am going to agree with you that I can't predict what will happen.

I can't predict with certainty any more than anybody can what will happen if Congress rejects the agreement. I can just say that from what I have seen this morning and based on what I saw come out of Lausanne in April, this agreement has more risk for the U.S. and more reward for Iran than I hoped it would.

Mr. CONNOLLY. One final point. By the way, I would just note for the record actually there were hardline elements protesting these negotiations in Iran.

I do not agree with you that there is unanimity of opinion in Iran that this is a great deal for Iran. I think the evidence suggests otherwise.

But you also in your statement earlier said this will strengthen the hard line in Iran, freeing up resources that they can use for bad things.

Would you at least concede that, again, there is an alternative scenario in which actually that is not what happens. It actually reinforces the Rouhani element and others that engagement with the

West actually produces good economic things for us and we should do more of it.

Isn't it at least worthy of conceding that also could be true?

Mr. LIEBERMAN. It is possible. It is. But I think much more likely is that the billions of additional dollars that the Iranian Government and economy will get will be used by the IRGC, which is, as I said earlier, the Ayatollah and the IRGC are the powers in Iran and they will be the ultimate beneficiaries of this additional money, not the moderates. I wish the moderates were. But I don't believe they will be.

Mr. TAKEYH. Can I just comment on one thing, Congressman Connolly?

Mr. CONNOLLY. Yes, certainly.

Mr. TAKEYH. On the issue of what happens if Congress rejects this deal, I went to college in the 1980s and it was possible at that time to major in something called arms control.

Mr. CONNOLLY. You are such a young man, Dr. Takeyh.

Mr. TAKEYH. And I have to say that for a while I did, and I have gone back to all those arms control. It happened all the time. SALT I, SALT II were repeatedly renegotiated—various provisions of it—because of congressional objections.

So Senator Lieberman's idea that upon this approval the United States administration has to go back and renegotiate is actually the way arms control typically happened with the big bad Soviet Union.

Second of all, let me just play out the strain that has been put here. Let us say the United States disapproves this agreement, overrides the President's veto and the entire international community blames the United States, becomes very censorious and Iran begins to develop its capacities and rush toward a bomb.

Surely, the international community will not countenance that. They may think Americans were irresponsible on the whys, injudicious, intemperate for destroying the deal.

But if they have seen Iran edge toward some sort of a weapons threshold surely they would rejoin the United States in imposing some sort of a measure to prevent that, I would imagine.

Mr. CONNOLLY. My time is up.

Chairman ROYCE. Yes. We will go to Matt Salmon of Arizona.

Mr. SALMON. Thank you. Senator Lieberman, during your time as a Senator you were afforded the opportunity to vote on a few treaties, I suspect.

Why do you think that the administration pursued this as more of a political agreement than a treaty? What was the rationale for that? Something—I mean, I have heard several times today that this is probably the most important decision Congress has weighed in on, some have said, in the last 30, 40 years. Some have said in the last 50 years.

With that important of a decision why would it be pursued as a political agreement rather than a treaty?

Mr. LIEBERMAN. So—oh, you mean literally?

Mr. SALMON. Yes.

Mr. LIEBERMAN. Well, I don't think the administration, if they were here, would say it is a political agreement but they would say it is a diplomatic negotiation and not a treaty.

I will tell you myself, and this is a closed issue, that what is on the line as a result of this agreement between the P5+1 and Iran is much more consequential than any treaty I was asked to vote for or against in my 24 years in the Senate and, of course, if it was considered a treaty then it would require two-thirds to pass, not the other way around.

But the President, under the Constitution and established court decisions, has the clear right to make the decision he did. This is not a treaty but it is an international agreement and it has to meet different standards in Congress.

Mr. SALMON. I think that many of the cynics believe that the reason is because the President could have never succeeded in crossing that two-thirds threshold in the Senate. And given the fact that, as you said, you have voted on treaties that had far less consequence than this document.

General Hayden, you stated that the inspections have become a political, not a technical issue. And so one of my questions is that whether you believe the Obama administration and its P5+1 partners would ultimately make the political decision to call out any violations of the agreement, I mean, whether they are technical in nature or small in nature or large in nature, do you think that the administration, who is kind of staking its whole reputation on this agreement would have the political will to call out any infractions and make them public, knowing that the political ramifications could be quite stark?

General HAYDEN. You bring up a great point, Congressman. It seems maybe even a little counterintuitive because we are all concerned about Iranian cheating.

But once the agreement goes into effect, the burden of proof on—well, let me just go back into my previous life and walk into the Oval Office and say, well, you know, Mr. President, that treaty that was so important to both you and to the country, I think these guys are violating it.

The time I would need and the body of evidence that would be required to turn that into political action is the dynamic we used to call in the business the dynamic of the unpleasant fact.

It takes always more evidence and more time to generate action. But beyond that, though, Congressman, that is just inside the American bubble. Look at it from the P5+1.

Mr. SALMON. Right.

General HAYDEN. And how many other folks have a real vested interest in not admitting the violations have taken place. And so I am really concerned about the managed access regime since it will be at the political and not the technical level.

Mr. SALMON. Well, and the snap back, so to speak, whether it is a snap back of our sanctions or a snap back of international sanctions has immense financial implications to many of these countries involved. And so the likelihood that they would speak out of a violation—I am worried that those violations will just be swept under the rug and that will never even see the light of day. As described, I cannot and I will not support this deal. Iran has proven time and time again it can't be trusted to meet international obligations and agreements.

I believe this administration is naive to suggest that the hundreds of billions of dollars Iran will gain access through this agreement will not be used to continue the proliferation of terrorism across the globe. On the contrary, those terrorism efforts will only get better funded.

And furthermore, that despite the President's rather bold statement this agreement will ensure that the Islamic Republic of Iran will not develop a nuclear weapon, in reality it puts them on a path toward legitimately developing and possessing a nuclear bomb in just 10 years. And I am wondering, this administration has had a penchant for doing things that only have effect during or has a shelf life during his administration with no thought of consequences to the hereafter to our children and our grandchildren.

I think that this is a frightening deal and it also didn't address the Americans that remain hostage in Iran. In fact, I am really disgusted that they weren't even really front and center in any of the negotiations. They were sideline comments, at best. For all the reasons stated above, I cannot support this deal at all and I yield back the balance of my time.

Mr. WILSON. Thank you, Congressman Salmon. We now proceed to Congressman Brian Higgins of New York.

Mr. HIGGINS. Thank you, Mr. Chairman, and I too want to thank the panel. You have been very professional. You have a body of knowledge individually and collectively that is invaluable to our deliberations on this issue.

You know, a lot has been talked about the nuclear infrastructure—centrifuges, the proliferation of them over the past 10 years, which is disturbing. This deal cuts them by two-thirds, which I think is very, very significant.

Also, the material that is used—the nuclear material. You have under this agreement, as I understand it, less than 4 percent of enrichment of that material, which is a far distance from bomb grade material, and then you have the inspections process, which I think is important.

But I don't think enough has been focused on the Iranian people and the politics of Iran, which I think are very significant here. The military historian David Crist wrote a book, "The Twilight War." He says since the 1979 revolution there have been seven attempts by either side to improve relations and they all failed. And against that history, this nuclear deal or anticipated nuclear deal when he was writing at the time was uncharted territory.

And I think when you look at what is going on in Iran today, you know, in the last 5 years, their currency has lost half its value. There has been 50 percent inflation, meaning that whatever you had in the bank prior to all of this was worth half and whatever you were buying cost you twice as much.

Rouhani won an election as a reformist within that context. It is not the American projection of what we would view as a reformist but, you know, he was pretty vocal about how bad the Iranian economy was not only during the election but after he won.

The difference in large part from 1979 to currently Iranian officials are turning on each other and I think that reflects that in this nation of some 80 million people you have got probably 65 million people who are very, very young and want normalization with the

rest of the world. And then you have the hardliners made up of the Revolutionary Guard and Quds Forces, Qassem Soleimani.

It has been said here and in many panels previously what a destructive force he is relative to stability in the region with, you know, his work in being on the ground in Iraq directing the Shi'a militias, saving Bashir al-Assad in the 11th hour and their support of Hezbollah.

But because of the deteriorating economic situation in Iran the Quds Forces and the Revolutionary Guard benefit. Why? Because they control all the smuggling, which is made necessary by the horrific situation economically in Iran.

I am just here to say that, you know, I think this 10-year period is very, very important because really nobody knows with certainty what will happen. But what in fact could happen is a normalization with the rest of the world, the promotion of a more diversified legitimate economy in Iran, could in fact undermine the current regime and produce the kind of changes that the vast majority of young Iranians want. And just kind of wanted your thoughts on that.

Mr. TAKEYH. I think some of your diagnosis is correct in terms of the notion of population estranged from the regime and the question is the effect of this particular agreement on the regime.

I think whatever the life span of this Islamic Republic may be, and I do think there is a termination date, has actually been extended by an agreement that legitimizes its program and leads to infusion of economic resources.

You can make a case, and frankly, quite a good one, that the longevity of the Kim dynasty in North Korea has had something to do with its possession of a nuclear weapon and attempt to leverage that in terms of gaining tribute from the international community. And so I—

Mr. HIGGINS. But North Korea wants—they love their isolation. They don't want anything to do with the rest of the world.

Mr. TAKEYH. Neither does the Iranian regime at this point at the level of institutional arrangements.

Mr. HIGGINS. Yes, but the—but, again, I think what is going on here is there is a dichotomy within, you know, the politics of Iran and there is a significant and growing population that wants normalized relations with the rest of the world and wants to see that economy unleash the potential of the Iranian people.

Mr. TAKEYH. I think you can say the exact same thing about North Koreans. I don't think they want to live in this hermitic kingdom.

Mr. BURNS. I would just say that you can't compare North Korea and Iran in this situation. Iran is not a monolithic political culture. There is a very strong reform movement.

Demographically, the young people are in the ascendancy. They are a trading culture. They are entrepreneurial. They want to be connected with the rest of the world and I think if you are looking for change and you want to build a case, that is the case that you would make. So I agree very much with your comments.

General HAYDEN. Congressman, I think what you've led on is quite plausible. I don't think it is likely but it is quite plausible.

Clearly, the Ayatollah has decided that this agreement will not facilitate regime change. Otherwise, he would not have signed it.

Mr. LIEBERMAN. I agree—plausible optimistic scenario. I wish it were so. I think not likely because I think this agreement strengthens the current Government of Iran, which is the Ayatollah and the Republican Guard.

But the hope here but we have never really, as America supported it, is they clearly, whatever the numbers are, there is a very significant number of the Iranian people who would like to be freed of this fanatical regime. Unfortunately, this regime will not let go of power and in the event of an uprising is more likely to respond the way their proxy, Assad, did in Syria, which is to turn their weapons on the people.

Mr. HIGGINS. Okay.

Mr. WILSON. Thank you very much. We now proceed to Congressman Darrell Issa of California.

Mr. ISSA. Thank you, Mr. Chairman. Senator Lieberman, does that mean that you are pessimistic about peace in our time when it comes to Iran?

Mr. LIEBERMAN. Yes. I must say I am—if my wife were here she would say that I am an optimist by nature and I am, but I am pessimistic about peace in our time with Iran because I don't see any fundamental change in their radical ideology and their aggressive support of terrorism.

Mr. ISSA. Ambassador Burns, I normally agree with a great deal of what you come up with from scratch yourself, based on your experience. But in this case, I am going to ask you questions more related to the deal.

The distinguished Senator—once he left office he is by definition extremely distinguished—would not be considered to be a dove. So let us view this as doves.

If this is the Chamberlain-esque appeasement that is going to work, let us review the next 10 years. Under the agreement with the sunset clause, during the next 10 years incrementally Iran is, clearly, going to have more money, more access to weapons, more freedom of movement than they would if we did nothing at all under the current sanctions. Isn't that true?

Mr. BURNS. Congressman, there are tradeoffs here.

Mr. ISSA. No, no. I don't want tradeoffs. I just want answers. Isn't it true that under this agreement there will be a gradual easing that will give Iran access, almost immediately to some, over time to the others, but over the next 10 years they will have access to more money, the ability to buy weapons and the ability to continue developing at least the nonweapons portion of their nuclear ambition, correct?

Mr. BURNS. And my answer is their nuclear program is going to be frozen for 10 years. They are going to be set back.

Mr. ISSA. Okay. And I appreciate your talking points and I know you were brought here with talking points. I would just like you to answer my question. I am trying to be very, very proactive here and positive.

Clearly, this agreement does let them have access to money. It will let them have access in 5 years or less to large amounts of conventional weapons that they already have a lot of and have been

providing to Hamas and Hezbollah. These are all sort of the gives in this give and take. So the real question is if they are going to have a phase-out in 10 years from now and, by the way, they clearly do continue to get to work and to use nuclear materials for purposes nonweapons related.

So they are going to continue to know more about nuclear during those 10 years even if they don't cheat on the program. That is in the base of this.

The question I have to you is very simple. Ten to 15 years from now under this agreement, assuming that the sunny side scenario that they simply break out in peace and love for their neighbors and democracy, assuming that happens we will be safer.

Assuming it doesn't happen, isn't it true that Iran will be more able to build a nuclear weapon and to wage war if they choose to 10 years from now? From where they are today, 10 years from now they will be able to do that with more money and no sanctions under the current agreement. Isn't that true? And that is a yes or no, please.

Mr. BURNS. I was asked to testify here and to give you my best perspective. I tried to convey a sense of how difficult this is, how complex it is.

Mr. ISSA. Okay. Well—

Mr. BURNS. And I wasn't brought here with talking points. I came on my volition. My view is—

Mr. ISSA. Okay. I appreciate—Ambassador, I appreciate that.

Mr. BURNS. My view is that we can stop them from becoming a nuclear weapons power 10 years from now if the President at that time is tough minded enough to do that.

Mr. ISSA. Okay. Well, and then that brings up sort of the history of appeasement of the Soviets. Jimmy Carter forgave them their debt, gave them wheat that they put the hammer and sickle on and told their people it was Russian wheat, not U.S. wheat.

And then Reagan took a different tact and every President has that ability. But General Hayden, let me just go through some factual ones. Ten years ago, you were in the administration, correct?

General HAYDEN. Right.

Mr. ISSA. Ten years ago, is it true, without disclosing any classified information, that Iran was behind weapon enhancements in Iraq that led to Americans dying on the fields in Iraq 10 years ago?

General HAYDEN. I actually told National Security Advisor Hadley that it was the policy of the Iranian Government approved at the highest levels of that government to facilitate the killing of American and other coalition soldiers.

Mr. ISSA. Twenty years ago, without disclosing any classified information, to your understanding is it true that Iran played a critical part to the U.S. airmen who were killed in Saudi Arabia?

General HAYDEN. That is my understanding.

Mr. ISSA. Thirty years ago—32 years ago—is it true that Iran, through its precursor to Hezbollah took an active hand in the killing of the Marines in the barracks in Beirut or had a participation in support of?

General HAYDEN. I think that is true, Mr. Chairman, but I don't have the personal knowledge to give that answer to you with confidence.

Mr. ISSA. Well, I chose those questions—and I will summarize, Mr. Chairman—because 30 years ago Iran, clearly, was promoting bad activities on the streets of Beirut including kidnapping and so on. This was when they were a 5-year-old government. Twenty years ago Americans died for sure in no small part because of Iran's hand. Ten years ago Americans were dying.

So when we look at 10 years before they get an outright go under this and their ability to have the materials to suit their ambition, my only question to all of you—and General Hayden, if there is only time for one it would be you—if they were doing this 30 years ago including kidnapping on the streets of Lebanon, 20 years ago they were killing Americans in Saudi Arabia, 10 years ago Americans were dying on the battlefield of Iraq, why do we believe that 10 years from now anything will really be different, based on your history in intelligence, General?

General HAYDEN. And to bring it more up to date, Mr. Chairman, 3 years ago they were prepared to explode an IED in a restaurant in Georgetown to kill the Saudi Ambassador. And so I don't have faith in behavior change of the government.

Let me put it another way. I have hope, all right. But I don't know that we can base policy on that expectation.

Mr. ISSA. Hope is not a strategy. Thank you. Thank you, Mr. Chairman.

Mr. WILSON. Thank you, Congressman Issa. We now proceed to Congresswoman Grace Meng of New York.

Ms. MENG. Thank you, Mr. Chairman, and thank you to all of our esteemed panelists for being here today. I will state at the outset that while I will reserve final judgment on the deal until I am able to read it through completely, I am deeply concerned and disappointed by what appears to be in its terms.

For the last couple of months, I have advocated that we provide the 33,000-pound bunker buster bombs to Israel and the planes to deliver them. Now we have a deal that neglects in any way to address Iran's providing arms and support to terrorists.

Furthermore, we have a deal to our surprise that will allow for the lifting of the arms embargo against Iran. In light of all of this and the significant deterrence that would be created by providing Israel these weapons, do you support the administration's unwillingness to provide Israel with the 33,000-pound bunker buster capability, which is totally outside the four corners of the deal? Just like to hear from anyone.

Mr. BURNS. I actually support the administration's position on this. Obviously, I support the security of Israel. But I think in this instance if force had to be used against Iran it should be by the United States.

We are much more capable. We would have much greater legitimacy internationally, given the fact that we have been leading this coalition and that we have been at the negotiating table.

I fear that if Israel used force ahead of the United States, and I don't think it would be as effective militarily and politically. It would be difficult for the Israelis and for us. So I would rather see the United States, if we have to force, be the one that does it.

General HAYDEN. I am kind of in the same place, Congresswoman. If we empower the Israelis to do that and if they do that

I think we have given another nation the ability to put us at war. And so I agree with Ambassador Burns.

Can I just draw down one additional layer? A question I genuinely have, and I will be a little oblique here and not suggest anything behind the screen, it is obviously against our policy that Israel conduct an overt strike against the Iranian nuclear system.

What are our views and what are we prepared to do if Israel attempts covert action against the Iranian nuclear program and what will be our policy prescription in our relationship with Israel with regard to that question?

Mr. LIEBERMAN. Congresswoman, thanks for your statement and your question. I have a different point of view. I think, particularly if this agreement announced today is not rejected by Congress and goes into effect, the willingness of the United States to provide Israel with the so-called MOP—the big bunker buster—will be part of a necessary strategy to regain the confidence of the Israelis.

Frankly, I think it will have—even though I agree that if military action has to be taken against Iran because it has taken a nuclear breakout, it is much preferable for many reasons that the United States take that action.

But I do think if this agreement is not rejected by Congress and goes into effect, the willingness of the United States to give the big bunker buster bombs to Israel will have a deterrent effect on Iran.

It will encourage Iran to keep the agreement because I think, frankly, Iran has less confidence that the Israelis won't take military action against them than they do that we won't take military action against them.

Mr. TAKEYH. I will just add one thing to that. It seems to me that if you are looking at this agreement as the best means of safety and security of Israel and stability of the region the best way of doing it is negotiating a stringent arms control agreement.

To me, transference of such munitions in the aftermath of an agreement that is so deficient where you have to transfer such weaponry is attempting to mitigate the consequences of a deficient deal.

Mr. WILSON. Thank you, Congresswoman Meng. And we now proceed to comments from Randy Weber of Texas.

Mr. WEBER. Thank you. I hope to have some pretty simple questions for you all. Do you all agree that if this agreement goes into effect that money will ultimately find its way to Hezbollah? Yes or no.

Mr. LIEBERMAN. Yes.

Mr. WEBER. Pretty much all agree that that will happen. So how much of that money is acceptable? One million? Five million? How much? Any—will anybody give us a value?

Mr. LIEBERMAN. Well, of course, I would say none.

Mr. WEBER. Ambassador? You would say none as well? Okay. Doctor? Okay, good.

So Ambassador Burns, you said that you wished Obama's war of words with Israel would stop and that they would make up, to use your words. In your estimation, which is worse—Obama's war of words with Israel or Iran's hateful rhetoric toward the United States and Israel?

Mr. BURNS. Obviously, what the Iranians have done in threatening Israel is the problem here. President Obama is not the problem and the—

Mr. WEBER. Okay.

Mr. BURNS [continuing]. And the difficulties between President Obama and Prime Minister Netanyahu are two-sided and they are both responsible.

Mr. WEBER. No, no. I just want to get you on record saying the Iranian's rhetoric, spewing of hate, needs to stop.

So there has been talk about if the veto is sustained what would happen. Would you all agree with me that we—the President said in his remarks this morning that we negotiated from a position of strength and power—something to that effect.

But would you all agree with me that had we gone in there with these seven tenets—number one, release our hostages; number two, halt all enrichment—six tenets—and do away with the centrifuges; number three, give the IAEA unfettered 24/7 access anytime—24/7 365; number four, stop exporting terrorism—make sure that Hezbollah doesn't get any of that money; number five, stop the rhetoric toward Israel and the United States; and number six, prove their sincerity of wanting to rejoin the world community by exhibiting this behavior for 1 or 2 years or more—would that have been a position of strength from us—for us to negotiate from, Senator?

Mr. LIEBERMAN. Well, sure. I mean, I think—and again, I wasn't there and it is too easy to say this from this perspective but it felt to me—look, we are a great power militarily, economically, culturally, every way.

Mr. WEBER. Let me move on to General Hayden. Pardon the interruption. General, would that have been a position of strength?

General HAYDEN. It would have been a position of strength. But the premise of our negotiation was to narrowly focus on the nuclear question.

Mr. WEBER. Okay. Ambassador, a position of strength if we required those six items?

Mr. BURNS. I am confident that President Bush and President Obama started there. But that is not how negotiations work.

Mr. WEBER. They did—they did—John Kerry told me himself—I asked him about the hostage release. They were not going to make that part and parcel to this agreement.

Mr. BURNS. Now, I was talking about something different.

Mr. WEBER. Okay. I am going with all six of these.

Mr. BURNS. In our conversations with the Iranians, all those issues are important. But you can't just insist on what you want in the negotiations.

Mr. WEBER. Well, they—forgive me, Ambassador, but I think they came to use wanting relief. We didn't go to them wanting relief. Doctor, would that have been a position of strength?

Mr. TAKEYH. General Hayden has suggested that the premise of these negotiations were to resolve the nuclear issue. I do think that both President Bush and President Obama share those concerns regarding Iranian sponsorship of terrorism, regarding detaining of the American hostages, regarding other activities.

I do think that that is a shared bipartisan concern and I think that President Obama as with President Bush actually have found Iranian treatment of our citizens and sponsors—

Mr. WEBER. And I would argue that they are all important. We have all heard the old saying talk is cheap. Apparently, it is really not because the Iranians are getting hundreds of billions of dollars because of their talk. We want action.

We want them to demonstrate their willingness. So here is my question. When we—if we do—if we do override the President's veto can we come back then and negotiate from a position of strength?

Mr. TAKEYH. I would say that I think, as General Hayden and I think Ambassador Burns suggested, going back is going to be tough. I am not suggesting it shouldn't happen under some extraordinary circumstances. Deficient agreements should be renegotiated.

But I don't think we should minimize the impact. I think it can be done but I don't think we should discount the difficulty of it—of actually achieving that.

Mr. WEBER. Well, I agree with my colleague, Grace Meng, that we need to provide Israel with a bunker buster bomb because that may be the one threat that Iran relates to and it may also put us pressure to help. I am out of time. I yield back.

Mr. WILSON. Thank you, Congressman Weber. We now proceed to Congressman Scott DesJarlais of Tennessee.

Mr. DESJARLAIS. Thank you, Mr. Chairman. Thank you, panel. I know it is getting to be a long morning. You have been sitting there a long time.

We appreciate all your testimony. I think it has been reiterated a number of times today that we feel that this is a much better deal for Iran than it is the United States and, really, on paper we should have the upper hand in these negotiations.

You know, therefore, if it is our goal to truly ensure peace and stability in the region and prevent Iran from developing nuclear capabilities, why have we conceded to their demands, especially in regard to domestic uranium enrichment? General.

General HAYDEN. I asked the same questions, Congressman. I think a good macro view is that the Iranians needed a deal far more than we did and we wanted a deal far more than the Iranians did.

And we have—I think it is fair to say look, I worked with Nick in the same administration. This is really hard and there were no easy answers. But it does appear to me that we have had a series of concessions in order to keep the Iranians still interested in the talks.

Mr. DESJARLAIS. This may be an easy question for you all to answer. But for people listening and watching this hearing, why have we not stood our ground and insisted that Iran import its enriched uranium just as other countries do such as South Korea, Italy, Spain and many others?

Mr. TAKEYH. I think that we moved away from that particular parameter, I suspect, quite a while back and maybe even during the Bush years. I don't know.

The parameter that I think we should not have moved from is the position of the United States and the Russian Federation and

the People's Republic of China in 2013 was that Iran should have an enrichment program but only a symbolic one that would essentially satiate their public diplomacy and public demands but not necessarily be misused. I don't know why that position was changed in 2013.

Mr. DESJARLAIS. I mean, I think it is obvious to most anyone if Iran is serious about not obtaining nuclear weapons—that is the claim they are trying to make in exchange for all this money—then they should be able to join 20 or 24 nations that are doing the same thing—importing their enriched uranium.

So I think we have really dropped the ball there and it, clearly, shows that Iran's intentions aren't peaceful.

Ambassador Burns, do you agree with the President's assessment from April, and to quote him, "What is a more relevant fear would be that in years '13, '14, '15 they have advanced centrifuges that enrich uranium fairly rapidly and at that point the breakout times would be shrunk down to almost zero?"

Can you please clarify that point for me? Do you or do you not support the arbitrary sunset in the agreement?

Mr. BURNS. I think I understood the President saying when he spoke in April about the interim agreement that when the agreement lapsed in the 10 to 15 year period that is when the Iranian—that is when the Iranians could reconstitute their program theoretically and that is when the breakout time would begin to diminish, as he said, almost down to zero. But I think he was—I think he was talking about the period beyond the freeze of the first 10 years.

Mr. DESJARLAIS. So you think it is a good idea for—I mean, do you think then it is a good idea for Iran to have an industrial sized nuclear program?

Mr. BURNS. No, I don't think it is a good idea but I think that, you know, our President and our Secretary of State have to operate in the real world and what is possible and not possible.

I think this is the best deal that they could have achieved. I supported it on that basis. But, obviously, it is going to take a lot to make it work and we have talked a lot about that this morning.

Mr. DESJARLAIS. Ambassador, with all due respect, you are probably the only member on the panel that is openly expressing your support for Obama's deal.

Yet, in your opening statement, and I don't want to put words in your mouth so you can correct me, but you basically conceded that you expect Iran to cheat. Is that correct?

Mr. BURNS. I think it is likely that Iran will try to cheat at some point. I think that is just an objective statement. But, you know, I support it because I know how, having worked on this issue in the Bush administration, how difficult and complex it is.

I think our national security will be met and be improved by locking them up in a box, freezing them for 10 years, and then, of course, any American President, if Iran tried to breakout toward a nuclear weapon, would have the right and have the capability to stop them through military force. So I think the President and Secretary Kerry are to be commended.

Mr. DESJARLAIS. I mean, it looks like to me a case of Obama legacy building here because from all the discussion we have had

today this is not a good deal. You are basically taking a hope and a prayer hoping that the next President will be like Reagan and be able to do something to stop what this deal sets up.

You think they are going to cheat and, you know, right now Chairman Royce started this hearing saying that they are going to take this money that is unfreezing billions of assets and immediately use them to build tunnels into Israel and also give them smart weapons to further endanger Israel. Do you think that is cheating?

Mr. BURNS. I think that we are going to have a very tough time implementing this agreement. But I also think it is the best for our national security interests. And I also think it is going to be a generational struggle. We are in a long-term struggle with Iran and so it is going to be up to both Republicans and Democrats to figure out a way to contain them.

I worry that if Congress disapproves—votes to disapprove—and then votes to override the President's veto, which the President threatened will weaken the United States and weaken our position in the Middle East and I worry about that.

Mr. DESJARLAIS. And I respectfully disagree and I yield back.

Mr. WILSON. Thank you, Congressman DesJarlais. We now proceed to Congressman Ted Yoho of Florida.

Mr. YOHO. Thank you, Mr. Chairman. Thank you, gentlemen.

I don't know where to start. There are so many conflicting things here and I want to pick up with Scott. If the goal of peace—you know, if we start—the very beginning when this all started I remember President Obama saying Iran will not be allowed to have a nuclear weapon, period. Twenty-eight times he said that—they will not have it. But, again, we see another red line drawn in disappearing ink. And now we are at a point where we are delaying it for 10 years maybe and I don't think it will be 10 years.

Sitting on this panel over and over again I have heard the experts say that Iran has enough material to have a nuclear bomb within 5, 6 months to a year. That was 1½ years ago.

So I think we have crossed the point of what we tried to negotiate. And then Eisenhower said if the goal is peace—is a peaceful nuclear program, a civilian nuclear program flourishes only through cooperation and openness. Secrecy and isolation are typically signs of a nuclear weapons program.

And a pessimist who—this is something I read the other day—a pessimist who doesn't think peace will occur in the Middle East is an optimist that has studied Middle East history. You know, I think it is pretty obvious what is going on there.

Ambassador Burns, you were saying that we can't see into the future but, you know, maybe the Iranian people will rise and change this regime. They tried that in 2009. We didn't assist them. As Senator Lieberman said, we have in the past.

We let the uprising happen. Do you think if Iran gets a nuclear weapon—and my prediction is it will be between now and 10 years from now they will have one. They have all the elements for that. We know they have detonated a nuclear trigger device.

Do you think that there will be more allowing their citizens to rise up and have regime change or change their politics?

Mr. BURNS. Well, I will just answer your—it is a good question—I would answer it just in two points. One is I think it is not at all probable that Iran will achieve a nuclear weapon in the next 10 years. After that, then I think the calculations change—first.

Second, I think regime change is desirable. I would like to see a change in the regime to a democratic system.

Mr. YOHO. It doesn't matter what we think. It is what the Iranian people—

Mr. BURNS. But I don't think that we have the capacity to produce that change on our own.

Mr. YOHO. Not now we don't. There is an old proverb I read a long time ago and it said that if you want to see one's past look at their present situation. It tells you what their past efforts were, what they invested in, what their habits were.

And you were saying that we can't predict what is going to go on in Iran in the future. If you want to see one's future, look at what they presently are doing—what they are investing in, their habits.

And I see a country that is promoting terrorism, shouting "Death to Israel, death to America," propping up the Syrian regime. I can see their future and it is not a healthy one and they are going to be more emboldened with the nuclear weapons.

Let us see. I agree with Senator Lieberman in that you were stating that, you know, this is a bad deal and I said last week, you know, being a veterinarian if it walks like a duck, quacks like a duck, it is a duck.

This is a bad deal. We need to walk away from the table and then—and the reason I say that, and correct me if I am wrong, because if we wait and other countries invest into Iran—you know, the economic development that they are seeking—other countries that go in there, the P, if we wait 2 or 3 or 4 or 5 years and they have that economic development, what is the likelihood of the snap back, which is a fictitious condition, of that happening if we wait 5 years versus if we walk away from the deal now, say the sanctions are back in place and we can't sell it to the American people? Senator.

Mr. LIEBERMAN. Well, it is going to be harder in 3 or 4 or 5 years of course, I hope that what you described happens, that we walk away.

But it is clear that the administration is not going to walk away voluntarily and therefore the only way that the U.S. walks away is if Congress exercises its authority to reject this agreement and then overrides a veto.

General HAYDEN. Congressman?

Mr. YOHO. Yes, sir.

General HAYDEN. I just had one very quick thought. We have talked about what happens if and so on. I would offer you the view that it is a very defensible proposition that absent a nuclear detonation in Iran it will be more difficult to reimpose sanctions in 5 years than it will be to sustain some sanctions if we turned our back on this agreement.

Mr. YOHO. Yes, sir.

Mr. BURNS. I would just like to say, Congressman, if we walk away now then we will have less leverage on the Iranians and they

will have a nuclear program without restrictions compared to all the restrictions they are going to be put under for the next 10 years. That is not a good deal for the United States.

Mr. YOHO. But we were talking about Iran has always skirted the restrictions. You look at the U.N. resolutions and the sanctions—they have not lived up to those.

They have been playing the cat and mouse game for over 30 years and what I see is an administration that is incompetent on this agreement and I think Iran has done a great job and, you know, time will tell.

But I think we should prepare for detection in the future and put the money into research and development and find out where the nuclear material is—there's technology out there—and prepare for the day they do have nuclear arms because they are going to have one and we should prepare our allies with that and we shouldn't delay. I yield back. Thank you.

Mr. WILSON. Thank you, Congressman Yoho. Now Congressman Deutch.

Mr. DEUTCH. Thank you, Mr. Chairman. Mr. Chairman, I ask unanimous consent that Representative Jackson Lee be allowed to ask questions after all committee members have had the opportunity to participate.

Mr. WILSON. And we have a dilemma in that Congressman Zeldin just came and as such a gentleman I know he would want to proceed with Congressman Sheila Jackson Lee of Texas.

Mr. ZELDIN. Mr. Chairman and Mr. Deutch, I would be very happy to yield to the gentlelady, Ms. Sheila Jackson Lee, for her remarks and questioning.

Ms. JACKSON LEE. I think our witnesses are going to see the ultimate politeness and courtesy and I would only say to the chair and ranking member thank you for your courtesies and if it is appropriate for this member of the committee to go forward please tell me how I should proceed. I am more than happy to follow protocol. If I have been given the time I will handle it in the appropriate manner.

Mr. WILSON. Congresswoman, the time is yours.

Ms. JACKSON LEE. You all are extremely courteous and so are these very patriotic witnesses who have come today. I serve on the Homeland Security Committee and Judiciary Committee but I am an adopted daughter of this committee and they have been very kind when I have had the opportunity to come, having worked a lot in the Mideast and worked with Congressman Deutch as well as Congressman Wilson and as well as the chairman of the full committee and the ranking member. Let me thank them for their courtesies.

Let me start both with, before I go to Senator Lieberman who I am so delighted to see a fellow alum—start with General Hayden and Mr. Burns—Secretary Burns, thanking them for their leadership.

The first thing that we heard as we woke to for many was a breakthrough and exciting news but appropriately cautioned because of the many friends we have in the Mideast was that this would begin an arms race for our allies, Sunnis, in particular Saudi

Arabia and I am going to end and just ask would you respond to that.

The second question is that as we were negotiating I was leaning toward the spontaneous inspection that would come about. I now hear that it is regulated and you are either going to be able to go to bases or not go to bases, which gives me a concern.

But if you would answer those two questions. I guess I want them abbreviated only because I have others and I just didn't want to go on with my questions and I have other questions. Thank you so very much.

General HAYDEN. Congresswoman, I agree with you. The managed access aspect of the inspections I think is very disappointing and very problematic.

With regard to how the Sunnis will respond, I probably don't have the confidence to say it is inevitable that they will race in the direction of a nuclear infrastructure and a nuclear weapon. But I think it is more rather than less likely.

Ms. JACKSON LEE. Secretary Burns? And thank you all for your engagement of this long process. I understand, as I have been here 13 years plus. But go ahead, Secretary.

Mr. BURNS. I think President Obama's agreement diminishes the chance that the Saudis will try to obtain a nuclear weapon. It will give them some reassurance over the next 10 years that the Iranians are not going to be a nuclear weapons power themselves. So that is one of the, I think, advantages of this agreement.

Ms. JACKSON LEE. Can I follow up with you, Secretary Burns? I understand the agreement sort of lays out either a 10-year under-15-year scenario. Is that too short a period of time before we might see them—Iran, excuse me—moving toward that concept of a nuclear weapon?

Mr. BURNS. I think I would have preferred an entirely different set of parameters for this negotiation—an entirely different framework.

But it is the framework that we have not just negotiated and I want to see our country succeed. Obviously, we all do. And I think that there is a chance for success here.

But it does worry me. I would have rather have seen 20 years, 30 years rather than 10, if you ask me.

Ms. JACKSON LEE. And let me follow up with you. The collective body politic of those who sat around the table having been engaged directly when Secretary Clinton was the Secretary of State and you were dispatched to begin these discussions over the period of years.

Do you take comfort in the individual nations that joined the United States to be part of the enforcement of this agreement and given it more strength for peace for all of us?

Mr. BURNS. Congressman, there are a couple people named Burns in Washington.

Ms. JACKSON LEE. Oh, okay.

Mr. BURNS. It is my good friend, Bill Burns, who worked for Secretary Clinton.

Ms. JACKSON LEE. Well, take the credit.

Mr. BURNS. I wish I—he deserves all the credit. I worked for—

Ms. JACKSON LEE. I saw you looking. I said uh-oh, it is not the same Burns. But I have worked with you so long. So go right ahead.

Mr. BURNS. I worked for President Clinton——

Ms. JACKSON LEE. Yes.

Mr. BURNS [continuing]. And President Bush.

Ms. JACKSON LEE. Thank you, Bill Burns. Okay.

Mr. BURNS. We should thank Bill Burns. I do think that, you know, the choice that we had was and the choice we still have, depending what Congress does, is do we want to go it alone or do we want to lead a coalition.

I think in this respect we are—in this case we are stronger leading a coalition, keeping the coalition together, using the leverage of that coalition to get what we want and to see this deal implemented.

I fear a congressional disapproval would put us out on our own. We are very powerful. But the Iranians would profit from a break-up of this anti-Iran coalition that the United States over two administrations has been able to lead.

Ms. JACKSON LEE. Well, as I asked Senator Lieberman, I do not want to the Iranians to profit. I have worked for a long period of time on Camp Ashraf and the individuals, Camp Liberty.

I think we have seen each other and continue to want to raise this question protecting my friends who believe in liberty and peace. And so, Senator Lieberman, how would you fix this if you are not seeing this agreement as the way it should be?

Mr. LIEBERMAN. You mean on the specific question of the Iranians at Camp Liberty?

Ms. JACKSON LEE. No. I am concerned that I don't give Iran too much happiness until they ultimately fix that issue.

Mr. LIEBERMAN. Right.

Ms. JACKSON LEE. But on this nonnuclear agreement how would you move it to a position where you would want it to be?

Mr. LIEBERMAN. Well, I—the most disappointing—there are two parts to this that bother me. The first part was clear from the framework agreement in April in Lausanne, which was that we were not going to achieve what we originally wanted: The end of the Iranian nuclear program in return for the end of sanctions against them.

They were going to promise to freeze for 10 years if they keep the promise and then after that we basically legalize their path to becoming a nuclear power.

But as I looked at the agreement this morning with things that I hadn't seen before, the most disappointing part of it is the inspection part. It is not anywhere, anytime. It is nothing remotely like that.

It allows the Iranians to object, a negotiation goes on with the International Atomic Energy Agency. That takes 14 days. There can be an appeal for 7 days. It is not clear that there is a real enforcement mechanism.

This is the real hole in this agreement and if I had my druthers that is the part that I would dramatically change.

Ms. JACKSON LEE. I am going to concluding remarks because this committee has been very courteous to me and simply thank them

for extending me this time and say in conclusion that I want Congress to take its task seriously and to immerse itself in many different committees—with Judiciary, Homeland Security, Foreign Affairs and others—in the importance of this agreement and peace in the Mideast.

I would finally say I want to thank this committee for its concern of my friends in Camp Liberty and Camp Ashraf. They are still not where they need to be, treated with dignity, allowed to get medical care, and as we proceed I think it would be appropriate to continuously raise these issues with Iran who seems to want legitimacy—world legitimacy and they cannot get world legitimacy by the inhumane treatment, putting aside the nuclear efforts that this administration has worked so extensively on and I want to congratulate President Obama for his extensive efforts.

But if they are going to get world notice for being a country that is in the world arena with dignity for all of its persons then they are not at that place right now, in my mind, because of the horrific treatment of some of their own citizens and particularly those that are fighting for justice and equality and freedom over in Camp Ashraf and, of course, Camp Liberty.

So I thank you so very much and I yield back my time. Thank you for your courtesies.

Mr. WILSON. Thank you, Congresswoman. We now proceed to Congressman Lee Zeldin of New York.

Mr. ZELDIN. Thank you, Mr. Chairman, and I thank the distinguished panel for being here as well as your service to our country in many different ways including being here this morning.

I know that you have been here for a few hours. It is now afternoon and I just want to say thank you as well for being so generous with your time with the committee on such a very timely and important appearance.

I don't need to wait 30 days or 60 days to decide that this is a bad deal, that it is an unacceptable deal. It is okay to be open minded. It doesn't mean that a requirement to be open minded is that we are naive.

It is a bad deal, and I think about—I have a really important question for you. You have worked for Presidents, just a tremendous amount of generations of administrations over the course of your time in government.

The next President comes in, whoever the person is—Republican, Democrat, doesn't matter. That person decides that something that wasn't even part of these negotiations they are motivated to tackle.

So just briefly recapping, some of the stuff that weren't even part of the negotiations—Iran overthrowing foreign governments, sponsoring terror, financing terror, developing I.C.B.M.s, unjustly imprisoning United States citizens including a pastor, a reporter, a United States Marine, developing—well, I mean, they are pledging to wipe Israel off the map, they are chanting “Death to America” in the streets.

The list goes on. We are handing them the \$50 billion signing bonus but we are not even giving it to them with strings attached that they can't use the money to continue to finance terror.

I mean, these people have blood on their hands from U.S. service members who have been killed in Iraq and Afghanistan. All this

wasn't even a part of the negotiations. So a President comes into office, it is January 2017, and let us just say, God forbid, that any of these U.S. citizens are still being imprisoned or they decide that we need to stop allowing them to overthrow foreign governments. We need to cut off the funding supply to Hezbollah—whatever the scenario is the next President is motivated.

If we give away all of these sanctions right now, tactically what are the options that are left? The reason why the Iranians are at the table right now is because the sanctions were working. What is the impact of this deal on that motivation to tackle all of the other actions we have an issue with?

Mr. BURNS. Congressman, we did not have sustained contact with the Iranians from 1979 until the autumn of 2013.

So we had an abnormal relationship. We couldn't actually mix it up with them and really get in there and work with them and try to move them and leverage them. We have that now.

Now, the Obama administration made a tactical decision that for the life of these nuclear talks they didn't want to introduce any other issues. You can argue pro or con whether that was the right decision.

We do have the capacity to talk to them now. Secretary Kerry has a relationship of sorts, a professional relationship, with the Iranian Foreign Minister and I wouldn't wait for the next President.

I think the Obama administration should take on the hostage issue and take on the terrorism issue—

Mr. ZELDIN. Well, what is the leverage?

Mr. BURNS [continuing]. And the regional issue and try to do what we can to motivate the Iranians to change their positions. It is going to be tough.

Mr. ZELDIN. I mean, but the Iranians aren't—when they weren't negotiating with us because they are good actors, they are good world citizens.

These are bad people blowing up mock U.S. warships while this is going on—fighting with the Syrians and the Houthis in Yemen against us and others. What is the leverage to actually—other than say, you know, for Obama to go back, you know, a few months from now or Secretary Kerry to go over and say, you know, pretty please can you stop overthrowing foreign governments, what is the actual leverage that is left other than asking nicely?

Mr. BURNS. I am not sure I would ask nicely. But I think the actual leverage is to strengthen our military relationship with the GCC countries—the Saudis and others—to contain Iranian power in the Gulf, to close ranks with Israel, strengthen that relationship and make it difficult for the Iranians to do what they are doing in the Middle East.

Mr. ZELDIN. But why would the Iranians do anything that I just said if what they want we are just giving them right now with this deal?

In my opinion, the President of the United States should be sitting down at the table with a strong hand, inheriting all that good will of generations of Americans who have fought and died for this country to keep us free and safe, and with that good will and that American exceptionalism say this is everything that we want in ex-

change for \$50 billion plus of sanctions relief. But all this stuff was left out.

So I guess what do we have to give the Iranians now that the sanction relief—if the sanction relief was met? What do we have to give the Iranians as leverage to get what we want out of them?

Mr. BURNS. So the decision the Obama administration made was to focus on the nuclear issue as the greatest immediate danger. I think that was a correct decision.

Now that that is underway and you have an agreement that hopefully will be implemented, we are going to have to build up our power and our coalitions against Iran. It is not about giving them something they want.

It is about muscling them and out powering them through containment regimes and that is what the United States traditionally has done, going back to the Carter administration when we said the Persian Gulf was an area of vital concern to the United States.

We should say it again to warn the Iranians about military activities, for instance, in that area.

Mr. ZELDIN. And my time is running short here. I appreciate that. I think that for the life of the Obama administration or at least this particular moment in time no one in the entire world, whether it is within the United States or the Middle East or elsewhere believe if the President says that the military option is on the table that he would actually do it.

We saw what happened with Syria where there would be consequences for using chemical warfare. They used chemical weapons and nothing ended up happening. So, you know, the President says the only alternative to whatever he agreed to was war and the irony about it is that this deal will actually result in more instability in the Middle East and cause, you know, a nuclear arms race to some degree in that region as well.

I am just concerned that the President has negotiated away that leverage that bought the Iranians to the table in the first place. America got played and the President was a complacent party to it.

Now, the American public and the representatives in Congress should have the final say, not the President with a stroke of a pen. An announcement this morning made at the White House was filled with falsehoods like 24/7, anytime anywhere inspections that aren't real.

I really do appreciate all of you being here. I am just concerned about the future of our relations and—I am sorry. General Hayden.

General HAYDEN. Yes, just one additional thought, maybe a little more aggressive than what Nick just suggested. Live by executive order, die by executive order. You are not going to lift these sanctions.

The President is going to use his authority within your legislation to lift sanctions based upon his executive decision. A future executive can reverse those decisions.

Mr. ZELDIN. I am just concerned that when you get rid of sanctions that take years to put into place and then you talk about snap back sanctions, when you are working with foreign governments and foreign entities it is very difficult to just snap them back.

General HAYDEN. No, it is. But with regard to our national sanctions, you are not going to repeal the law. I think that is very clear. And so we will ease those sanctions based upon the will of the executive, which can be changed.

Mr. ZELDIN. And I appreciate the general's remarks and I would encourage my colleagues in the spirit of that discussion of what power Congress has or hasn't or what power the American public has or hasn't that we do not accept defeat, that we do not accept a bad deal with Iran because of the consequences.

But I absolutely appreciate the general's remarks and the Ambassador and everyone else for being here. I yield back the balance of my time. Thank you, Chairman, for being generous with me.

Mr. WILSON. Thank you, Congressman Zeldin, and thank you for your military service too for our country. God bless you.

We now proceed with Congressman Ron DeSantis of Florida.

Mr. DESANTIS. Thank you, Mr. Chairman. Thanks to the witnesses. You know, a lot of what goes on here is just we puff, we do these hearings. We take meaningless votes about really frivolous issues.

This is really a big vote and a big issue and Congress needs to step up and do the right thing for the American people. In my judgement, that means stopping the deal. I think this is bad for our country.

I think it is bad for national security. You know, when I was in Iraq back in '07-'08 the number one cause of death was not even al-Qaeda in Iraq at the time. It was Iran and the Quds Force and the Shi'ite militias that they funded and they killed hundreds of our service members.

And yet I am looking through this deal and I notice that they are actually relieving sanctions on the Quds Force and on Qassem Soleimani specifically. Of course, the \$140 billion that is a huge influx of cash for the Iranian regime. Is the regime going to change? Well, I just looked on Friday, July 10th. The regime is sponsoring the protest "Death to America. Death to Israel" on Quds Day.

I think that the agreement really enhances Iran's power in the region. I think that they are going to emerge from this unquestionably the dominant actor in the Middle East and we have seen their authority grow over the course of this administration.

I think it is actually good for ISIS because in a place like al-Anbar Province where I served if the choice is between an Iraqi Government that is backed by a Shi'ite power and Shi'ite militias or ISIS, which is at least a Sunni Arab group, a lot of those folks, who aren't bad people, they are more apt to side with ISIS than to side with the central Government of Iraq.

And so the fear is is that with U.S. policy tilting so far in the direction of this dominant Shi'ite power that I think you are going to see more recruits now flood into ISIS. So we may be killing some of them but there is going to be folks who are going to replenish it. The verification, as I read it, is a joke. I mean, it is not anytime we want to go in.

There is a committee, they do this. By the time you actually want to see things the offending conduct could be concealed. And I think this really turns our back on Israel, our most trusted ally

in the region. This is a country that Iran boasts is a one-bomb country.

They boast that they want to wipe them off the map and I think the relationship that this administration has had with the Israeli Government has been a disaster and I don't think this is the way that you treat an ally.

Well, let me ask you this, Ambassador Burns, because I think you actually did as good a job—I mean, as anyone I have heard of justifying your position. What would be the reason to remove sanctions off of Qassem Soleimani and the Iranian Revolutionary Guard Corps?

Mr. BURNS. Oh, it is an extraordinarily difficult thing to do, isn't it, given that the Quds Force—

Mr. DESANTIS. But I don't understand. I mean, if—

Mr. BURNS. It is because of how the negotiations were constructed.

Mr. DESANTIS. So it is just a concession, really having nothing to do with the nuke program or does it have something to do? Because on the one hand we are told that Iran never had military uses for any of this but yet you are removing sanctions off folks who are very key players in Iran's military complex.

So the question is is there a relationship there or is this a totally unrelated concession about relieving sanctions off people who are involved in terrorism? And we have been told from administration witness after administration witness sitting right where you are that they didn't want to discuss terrorism.

They only wanted to focus on the nuclear negotiations. So it is very, very odd to me that that would be in there and particularly just because of the blood that they have—the American blood that they have on their hands.

Mr. BURNS. Right. And I think that the agreement announced this morning is framed such that all the sanctions that were passed against Tehran in the Security Council and in other places, executive orders, are going to be lifted, whether they are directly about the nuclear program or not. So is it a problem that the Iranian Revolutionary Guards Corps might have more money available to them? Yes.

It is a problem. It is part of—when I testified earlier, Congressman, I just said I support this. I think on balance it is the right decision for the United States. But there are risks here and there are tradeoffs and some of them are very difficult to digest. That is one of them.

Mr. DESANTIS. Senator Lieberman, this influx of cash to the regime—is there any doubt in your mind that some of those proceeds are going to be used to fund the Iranian terror network?

Mr. LIEBERMAN. None at all. It is hard to conceive of a situation where that doesn't happen. How much is spent is up to, obviously, the Iranian authorities. The other thing I mentioned briefly before you were here, Congressman, is that a lot of the rest of the money may go for domestic purposes but it will be used to strengthen the position of the current radical regime in Tehran and to essentially undercut the popular opposition that is there.

Mr. DESANTIS. And getting the cash—is that going to cause the regime to change their militant Islamic ideology, in your judgment?

Mr. LIEBERMAN. Getting the—

Mr. DESANTIS. The fact that they are getting these concessions. I guess the hope is is that oh, maybe they will change. Is there any chance? Would you be willing to bet that these mullahs will change their militant Islamic ideology?

Mr. LIEBERMAN. Right. I would bet that they will not, based on everything we have seen and the agreement strengthens their hand. In other words, as you have said and, again, as Ambassador Burns said, tough choices in our negotiation.

But basically the negotiation did focus on the nuclear program that they have and it is not that we accepted all the terrible things that they do but implicitly it was off the table. Now, Congress does have a role to play here in the months ahead, which is to come back and the administration too, really, to strengthen sanctions based on human rights, support of terrorism, their treatment of the people in Camp Liberty, which is horrendous.

So that right now I think this message is not only did they get a good deal on the nuclear agreement but they are basically free to do whatever they want to do in every other part of their radical program.

Mr. DESANTIS. Thanks. I yield back.

Mr. WILSON. Thank you, Congressman DeSantis, and thank you too for your military service. We have one final follow-up from Congressman Deutch for Ambassador Burns.

Mr. DEUTCH. Thank you, Mr. Chairman. Ambassador Burns, I just wanted to follow up on that last point since it is a very big agreement that we are going to be sorting through.

But your assessment is that all of the sanctions on the IRGC are being lifted as part of this? I just want to make sure that I understood correctly what you said.

Mr. BURNS. In my response to Mr. DeSantis' question I said that the framework of this agreement is that many of the sanctions that were passed under varying authorities—Security Council and others—are being lifted as part of the overall agreement. There are multiple types of sanctions in here. That was my answer.

Mr. DEUTCH. Okay. I appreciate that. I yield back. Thanks, Mr. Chairman.

Mr. WILSON. Thank you. As we conclude, I want to thank each of you for being here today. Your insight has been very helpful.

We are certainly concerned for the security of the American families and you have expressed that and you can see it is bipartisan, the level of concern and participation. I am very, very grateful for everyone participating today.

I know that many of us are just so hopeful for democratic change actually in Iran.

With that, we are now adjourned.

[Whereupon, at 1:48 p.m. the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

FULL COMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

July 14, 2015

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Tuesday, July 14, 2015
TIME: 10:00 a.m.
SUBJECT: Implications of a Nuclear Agreement with Iran (Part II)

WITNESSES: The Honorable Joseph I. Lieberman
Co-Chair
Iran Task Force
Foundation for the Defense of Democracies
(Former United States Senator)

General Michael V. Hayden, USAF, Retired
Principal
Chertoff Group
(Former Director, Central Intelligence Agency)

The Honorable R. Nicholas Burns
Roy and Barbara Goodman Family Professor of Diplomacy and International Relations
Belfer Center for Science and International Affairs
John F. Kennedy School of Government
Harvard University
(Former Under Secretary for Political Affairs, U.S. Department of State)

Ray Takeyh, Ph.D.
Senior Fellow
Council on Foreign Relations

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, wherever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE HEARING

Day Tuesday Date July 14, 2015 Room 2172

Starting Time 10:05 Ending Time 1:48

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Edward R. Royce, Rep. Joe Wilson

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

Implications of a Nuclear Agreement with Iran (Part II)

COMMITTEE MEMBERS PRESENT:

See attached.

NON-COMMITTEE MEMBERS PRESENT:


Rep. Sheila Jackson-Lee

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

SFR - Rep. Gerald Connolly
SFR - Former Senator Joseph Lieberman

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 1:48


Jean Marter, Director of Committee Operations

HOUSE COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE HEARING

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X	Ron DeSantis, FL
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X	Tulsi Gabbard, HI
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X	Robin Kelly, IL
X	Brendan Boyle, PA
X	Sheila Jackson-Lee, TX

Statement for the Record
Submitted by Mr. Connolly of Virginia

Earlier this morning the P5+1 negotiators announced a final nuclear agreement with Iran. The bipartisan Iran Nuclear Review Act of 2015 (P.L. 114-17) enacted in May requires that the President transmit the text of the agreement to Congress within 5 calendar days.

Upon receipt of the agreement and technical annexes, Congress will conduct its appropriate and statutory duty to review the merits of the deal concluded by negotiators. Since the deal was concluded after July 9, the Congressional review period will be 60 days. Should Congress pass a joint resolution of disapproval, the President would have 12 days to consider vetoing the bill, followed by 10 day for Congress to consider overriding the Presidential veto. The next three months will determine whether or not the Iranian nuclear negotiations are to bear fruit.

The implications for failing to implement an agreement that blocks Iran's path to a nuclear weapon are profound. If negotiators have not delivered an acceptable deal or if the President does not receive the authority to implement the terms of the agreement, the Iranian nuclear program would once again be opaque and no longer restrained by strict limitations. The countries of the world that have a strict policy of preventing a nuclear Iran, including the U.S. and a number of our allies, would be left with a scenario that could demand immediate and decisive action.

This unwelcome alternative throws down the gauntlet to both those in Congress reviewing the deal and those who would oppose using diplomacy to prevent Iran from obtaining a nuclear weapon.

For Congressional overseers, it demonstrates the standard to which this deal should be measured. The nuclear security assurances it provides must be ironclad. The deal must include limitations that arrest and rollback Iran's progress towards a nuclear weapon, and it must erect an intrusive inspections regime capable of assuring the world that Iran's nuclear program is entirely peaceful. If Iran violates the terms of an agreement, the U.S. and our international partners must retain our ability to deploy coercive diplomacy and all other means necessary to inhibiting Iran's potential nuclear ambitions.

To opponents of the diplomatic tract, the threat posed by an unrestrained and isolated Iran should make clear the gravity of their objection. Our remaining options would be limited in both variety and efficacy. During General Michael Hayden's testimony before the Subcommittee on the Middle East and North Africa in November 2014 he affirmed that the euphemistically termed "kinetic" option would "guarantee that which we are trying to prevent, an Iran that will stop at nothing, in secret, to develop a nuclear weapon."

Ultimately, this deal is going to need to stand on its own merits, and I will be carefully reviewing this deal which is a product of over a year-and-a-half of painstaking negotiations. I welcome the witnesses' testimony on constructive suggestions for the difficult work that lies ahead.

The Honorable Joseph I. Lieberman
Co-Chair, Iran Task Force
Leadership Council, Foundation for the Defense of Democracies
(Former United States Senator)
Senior Counsel, Kasowitz, Benson, Torres & Friedman LLP
House Committee on Foreign Affairs

“Implications of a Nuclear Agreement with Iran: Part II”
July 14, 2015

Mr. Chairman, Congressman Deutsch, members of the Committee: I am grateful for the opportunity to testify before you today at this critical time. The negotiation between Iran and the P-5+1 has now produced an agreement which will come before you shortly. Each of you will have to decide whether to endorse or reject it. I cannot think of a more consequential vote that you will cast in Congress for the future national security of the United States, and indeed the future security of the world.

And I cannot think of a better committee to lead the House of Representatives in its review of the proposed agreement with Iran, because this Committee--under the leadership of Chairman Royce and Ranking Member Engel has built such a strong record of bipartisanship, repeatedly putting the interest of America ahead of the interest of either political party. If there ever was a time for that kind of non-partisan leadership, it is now on this agreement with Iran.

In the time that I have had since the Agreement was announced, I have read it over and consulted with technical experts. My conclusion is that the proposed nuclear agreement with Iran is a bad deal for America, a good deal for Iran, contains too much reward for Iran and too much risk for America and therefore should be disapproved by Congress. Let me explain why.

I was a Member of the United States Senate when the first sanctions legislation against Iran for its nuclear activities was passed nearly twenty years ago. I was also privileged to play a role in the drafting and passage of every subsequent sanctions bill.

Each of these measures was adopted by overwhelming bipartisan majorities in the House and the Senate; in each case, Democrats and Republicans in Congress came together despite resistance and outright opposition from the executive branch--regardless of which party controlled the executive branch.

There is no question in my mind that when we united to pass these sanctions bills, it was with a clear and simple purpose: to prevent Iran, the #1 state sponsor of terrorism in the world, from ever possessing a nuclear weapons capability. In fact, key provisions of the legislation we passed explicitly stated this as our goal.

That is not what the agreement announced today does. In fact, what began as an admirable diplomatic effort to *prevent* Iran from developing a nuclear weapons capability, instead devolved into an essentially bilateral negotiation over the scope

of that capability. The result is an agreement that temporarily delays but ultimately allows Iran to become a nuclear weapons state—and indeed legitimizes Iran’s possession of the nuclear capabilities that it has built in violation of international law and in breach of its obligations under the Non Proliferation Treaty.

Mr. Chairman, this is precisely the outcome that for years we in Congress fought to prevent. This is precisely what we enacted bipartisan sanctions to stop. And this is the most important reason why I ask you to vote against this proposed agreement.

Under the terms of the agreement, Iran will be granted *permanent and total* relief from nuclear sanctions, in exchange for *temporary and partial* limitations on its nuclear projects. That is the essence of this bad deal for America, Iran’s neighbors, and the world. After a little more than a decade, Iran will be free to expand its nuclear program which means that, if this agreement is approved, Iran’s nuclearization which previously had been unacceptable will be inevitable. The rabidly anti-American, anti-Israel, anti-Saudi Islamic Republic of Iran will have nuclear weapons.

Some argue that, even if all of this is true, the agreement, assuming Iran obeys it, still buys us ten years or a little more—and that a lot can happen in ten years. According to this argument—even if the proliferation provisions of the agreement fall seriously short of the goals Congress previously established and

leave Iran a clear path to breakout after a decade-plus—it is still a worthwhile bet, because the agreement will empower moderate forces within the regime who will ultimately triumph over the radicals. This is a bet with no basis in fact.

It is in fact the triumph of hope over experience with Iran. We must judge Iran not just by what its representatives in the negotiation are saying but more by what its government has done and is doing.

While Iran's Foreign Minister has been charming the media and negotiating an agreement with the P5+1, the regime in Teheran has continued to build up its nuclear weapons project, expand its support of radical proxies that threaten its Arab neighbors and Israel, improve its intercontinental ballistic missile capacity so its weapons can reach Europe and the U.S., and spew out the most vile and violent rhetoric toward America, Israel, Britain, and Saudi Arabia.

The rhetoric would be bad enough but the Iranian government has also acted on that rhetoric sponsoring repeated terrorist attacks to kill Americans and Israelis, Christians, Jews, and Muslims from Argentina to Iraq, from Saudi Arabia to Syria.

As recently as last Friday, the Iranian regime organized a demonstration in Teheran at which enormous crowds shouted, "Death to America, Death to Israel!" The editor of the Teheran newspaper, Kayhan, who is selected by Iran's supreme leader and is assumed to reflect his views, recently wrote that the United States

“which currently terrorizes humanity as the sole superpower will one fine day cease to be visible on the map of the world.”

How can we have any confidence in an agreement made with such a government? The answer is only if its inspections and verification provisions are air tight. The Iranian government has consistently deceived and delayed the IAEA, claimed that its inspectors are spies, and it is a tool of the United States, even though it is actually an agency of the United Nations.

The inspections provisions in the proposed agreement fall far short of the “anywhere, anytime” access that is needed to have confidence that the deal with the Iranian regime will be obeyed. The IAEA will have to negotiate with Iran to gain access for its inspectors, even though Iran has consistently refused to provide timely and reliable access to international monitors in the past.

What we *can* and *do* know for certain is that this agreement will vastly increase Iran’s *objective capacity* to pursue a radical and violent regional agenda. That is because the removal of sanctions will mean billions of dollars immediately flowing into the Iranian treasury and billions more as it reintegrates with the global economy. If only a fraction of these funds are used to sponsor terrorist attacks, develop international ballistic missiles, and support regional proxies like Bashar al Assad, the geopolitical effect will be profoundly destructive. That is why so many

of Iran's neighbors—who agree on little else—are united in their alarm at this prospect and opposition to this agreement.

Our nuclear diplomacy with Iran has coincided with a period of unprecedented Iranian aggression and expansionism. As the Iranians have pushed outward, the result has been a much more violent, unstable, dangerous, and radicalized Middle East.

Mr. Chairman, distinguished members of this Committee: in the weeks ahead, you will hear different opinions about this agreement and its implications. I have personally concluded that the proposed agreement falls dangerously short of what is needed—which is an agreement that reliably and permanently ends Iran's nuclear weapons capability in return for an end to the economic sanctions against Iran based on its nuclear program.

There will be some who will try to convince you that if Congress rejects this deal the result will be catastrophic. Some may try to intimidate and demonize critics of the agreement by arguing that a vote against this deal is a vote for war.

I urge you to reject these false arguments.

The most powerful measure Congress has ever adopted against Iran—effectively barring its sale of oil to international markets—was undertaken despite explicit warnings from Administration officials at the time that it would collapse

the global economy. In fact, it opened the door to the diplomacy that previously had proven impossible.

In today's context, rejecting this bad deal will not result in war or the collapse of diplomacy; it will give in the Administration a new opportunity to pursue a better deal.

As a former member of Congress, I know how difficult your decision will be. In the end, the best you can do is to decide in the privacy of your own conscience what you believe is best for the security of the American people, including your constituents because you and we will live with the consequences of your decision for the rest of our lives.

This is a vote whose consequences will reverberate in the lives of our children, grandchildren, and beyond. That is why I am confident Congress will rise to the occasion and secure America's future by rejecting the agreement. I thank you, and look forward to your questions.

