

Statement for the Record  
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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 stiffing 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.