

**Testimony of Kenneth J. Stethem before the  
House of Representative's Committee on Ways and Means  
Subcommittee on Oversight**

Chairman Roskam, Ranking Member Lewis, thank you for the opportunity to join you and the other committee members here today to participate in this hearing on the presidential authority to waive anti-terror provisions in the tax code with respect to Iran. But more importantly, thank you for recognizing and addressing what I believe is one of the greatest threats to both our nation and national security: Iranian state sponsored terrorism. Now is the time members of this Congress must decide whether they are going to support and fund Iran, a state sponsor of terrorism, or not.

By way of introduction, our family, the Stethem family, is one that has proudly served our Navy and our nation. Between my father, mother, two younger brothers and myself, we have over 105 years of service to the U.S. Navy. Both of my younger brothers were Seabee divers attached to Underwater Construction Team One (UCT-1) and I served as a SEAL and an explosive ordnance disposal (EOD) technician.

One of my brothers, SW2(DV) Robert Dean Stethem, was murdered by Hezbollah terrorists during the hijacking of TWA Flight 847 in June 1985.<sup>1</sup> He was 23-years old when he was killed. The Navy has commissioned a destroyer, the USS STETHEM (DDG-63), in Rob's honor. He has posthumously been awarded a Bronze Star, Purple Heart, and POW medal due to his actions during this hijacking. His is a legacy of honor, courage, and commitment to our Navy and our nation. Robert is buried in Arlington, in the section designated for terrorism victims. My other younger brother was actually inside the Pentagon when it was struck on September 11, 2001. Fortunately, he survived that attack.

During my career I have seen and dealt with terrorism and terrorism related issues on personal, professional, and policy levels. I have seen many promises made and many promises broken. And I know that my family is not alone. There are others. And I believe that if Iranian terrorism is not checked there will be many more families like ours.

My remarks this morning will be brief but before I continue I feel that it is important to share with you exactly why I am here today: First, to recognize and remember my younger brother, Robert Dean Stethem, the other victims of Iranian terrorism, and their families.

Many times these victims had no warning of the terrorist acts before they happened. No chance to say goodbye to their fathers, mothers, brothers, sisters, sons, and daughters before they are gone forever. In other instances, such as my brother's tragedy, there is a little time to stop and reflect on the fact that the end of life has come. In these cases where death is delayed, their opportunity to reflect upon life and their situation is often interrupted as they are held captive, beaten, and tortured, often without mercy, for

---

<sup>1</sup> See attachment 1, Articles about Robert Dean Stethem

minutes, hours, days, weeks, months, and in some cases, even years.

My second reason for being here is to share with you why I believe that legislation should be established that prevents U.S. companies and their foreign subsidiaries from receiving any U.S. tax credits or benefits and from business conducted with Iran or Iranian companies. This includes closing tax loopholes that still exist for some of these U.S. companies. I believe that establishing this type of legislation is critical for several reasons.

- 1) Iran has been found guilty of financially supporting and committing acts of terrorism against America and Americans.
- 2) Iran is designated by the Department of State as a State Sponsor of Terrorism.
- 3) Iran has not had a fundamental change in its leadership.
- 4) Iran has not renounced the use of, or support for, terrorism.
- 5) Iran has not provided credible assurances that it will not continue to support terrorism in the future.
- 6) Iran has not been held accountable for the terrorist acts that resulted in the loss of life for many Americans.

It is past time for American politicians and American citizens to realize that our failure to properly address Iranian terrorism has only emboldened the radical fundamentalist Islamic regime of Iran. One of the first major terrorist acts the government of Iran committed was the sacking and overthrow of the U.S. Embassy in Tehran. This regime has been committing terrorist acts ever since. And, until recently, Iran has irrefutably been the most destabilizing factor in the Middle East (ME) since 1979.

So I sincerely hope that before any member of this Committee considers opposing the restriction of tax credits, benefits, or closing loopholes for U.S. companies and subsidiaries doing business with Iran, they will ask themselves the following question as it is fundamental to the Iranian terrorism issue threatening our national security and our national security interests today:

Has the radical fundamental Islamic regime of Iran retracted their “Islamic Jihad” or “Holy War” they declared against America in 1979?

If the answer is no, then the Iranians must still be in a state of declared war with the U.S. In this case, not only should companies that do business with Iran not receive tax credits or benefits from the U.S. government but they should, in fact, be punished with severe penalties.

If the answer is yes, then I would ask you, where is the proof? Has Iran declared “peace” with America? Has Iran showed any good will by renouncing their terrorism tactics or rejecting their terrorist strategy? Has peace and prosperity broken out in the ME since the signing of the Joint Comprehensive Plan of Action (JCPOA) this past July?

Multiple and flagrant violations of several United Nations sanctions immediately following the signing of the JCPOA should have sent this Congress a clear message:

**Not only is Iran willing to violate U.N. sanctions, but the lack of any protests by the P5+ “partners” show that none of these nations, including the Obama administration, are willing to hold Iran accountable for these violations.** And, if none of the P5+ nations are willing to hold Iran accountable for violating these sanctions where is the motivation for Iran to forego its support and involvement in terrorist operations?

The answer is there is none.

In fact, there is plenty of evidence to the contrary. Trying to separate the radical fundamental Islamic regime of Iran from its terrorist policies and support is like trying to separate heat from a fire or light from a flame. It cannot be done. Terrorism is not just a matter of policy or strategy for the radical fundamentalist Islamic regime but it is justified in this regime’s core belief, values, dogma, and very nature. Consider that the radical fundamentalist Islamic regime’s interpretation of the Koran is that Islam is a religion of war and not peace. Their belief is that it is also permissible to lie in order to defeat infidels.

Consider that Iranian Foreign Minister Mohammad Javad Zarif, Secretary of State John Kerry’s partner in the nuclear talks, has actually paid homage at the Beirut tomb of Imad Mugniyah, the terrorist who masterminded the Beirut Barracks bombing, the TWA Flight 847 hijacking and many other deadly terror attacks. Imad Mugniyah was not only the Hezbollah security chief when he was killed in a 2008 bomb blast but was also the terrorist coordinator between Iran, Syria, and Hezbollah. Mugniyah is remembered by Iran and honored by Zarif as a “heroic martyr.”<sup>2</sup>

So the support for Iranian terrorist and terrorism operations reaches into even the highest levels of Iranians participating in the JCPOA.

I would submit to everyone here that there is much more evidence to believe that Iran will continue to fund and finance terrorism in the future than to stop it.

Although the intentional killing of a member of a state’s armed forces is an act of war, which requires a response from that nation state, the United States took no action against the Iranians in response to my brother’s death.<sup>3</sup> As we have seen, the result has been an emboldened Iran in supporting mass terrorist attacks, resulting in decades of Americans dead at the hands of terrorism.

---

<sup>2</sup> House Passes Bill Banning Sanctions Relief Until Iran Pays Damages to U.S. Terror Victims available at <http://cnsnews.com/print/400358>

<sup>3</sup> Iran’s support of Hezbollah resulting in the death of Robert Dean Stethem would be considered an illegal act of aggression under international law. See U.N. Resolution 3314 (XXIX) (Dec. 13, 1974) available at <http://www.un-documents.net/a29r3314.htm>

Another example is on October 12, 2000, the U.S. Navy destroyer the *U.S.S. Cole* was attacked by a suicide boat bombing in the harbor of Aden, Yemen.

Seventeen American service members were killed and thirty-nine others were wounded. Our ship was seriously damaged. The attack has been widely characterized as a “boat bomb” adaptation of the truck-bomb tactic used by Hezbollah, with the support of Iran, to attack the U.S. Marine Corps barracks in Beirut in 1983 and the Khobar Towers U.S. military residence in Saudi Arabia in 1996.<sup>4</sup> Al Qaeda claimed responsibility for the attack, but as a federal judge has found, it could not have done so without the support of Iran, including through the provision of weapons training and facilitation of travel.<sup>5</sup> And again, although the attack on a U.S. warship is no doubt an act of war, the U.S. did not respond.

Less than a year later, on September 11, 2001, 3,000 Americans lost their lives in the greatest terrorist attack of our time. And as the 9/11 Commission has found, Iran’s involvement in that attack cannot be questioned. Yet, the U.S., although declaring a “war” on terrorism and recognizing Iran as an “Axis of Evil,” did not confront Iran. As a result, Iran has continued to support terrorist groups and activities in both Afghanistan and Iraq.

For example, Dr. Patrick Clawson, Director of Research of the Washington Institute for Near East Policy, has explained that Iran has continued to provide significant support, including cash, weapons, and safe haven to several terrorist groups, including Hezbollah, HAMAS, al-Qaeda, and armed insurgents in Iraq and Afghanistan, including the predecessors of ISIS. Dr. Clawson opines that Iran spends **at least \$300 to \$500 million dollars a year on funding terrorism against the West.**<sup>6</sup>

This Subcommittee on Oversight has an excellent opportunity to work together in a non-partisan way and effectively discourage U.S. companies from doing business with Iran until such a time that there is a change in its government leadership and/or policies.

Time is not and never has been America’s friend regarding Iran’s support for terrorism. The increase in Iran’s boldness and success in its de-stabilizing operations in the ME are proof enough of this. And now that the Obama Administration is opening the way for Iran to become a nuclear nation there is a greater, not lessor, threat of nuclear terrorism taking place.

The failure of the current Administration to have a coherent security strategy for the ME should not preclude the U.S. Congress from developing one. Our failure to fight radical Islamic terrorism properly, effectively, and thoroughly, when it first took place in recent times (1979) has allowed it to grow from a single source in a single place, with limited means, to having to deal with multiple proxies and places, including the possibility of nuclear terror.

---

<sup>4</sup> CRS Report for Congress Terrorist Attack on U.S.S. Cole, Background and Issues for Congress (Jan. 30, 2001) available at <http://nsarchive.gwu.edu/NSAEBB/NSAEBB55/crs20010130.pdf>

<sup>5</sup> *Flanagan v. Isl. Rep. of Iran*, 87 F.Supp.3d 93 (D.D.C. 2015)

<sup>6</sup> See *Affidavit*, Dr. Patrick Clawson, *Flanagan v. Islamic Rep. of Iran* (Aug. 5, 2014).

I am extremely concerned that if we do not start now developing comprehensive and coherent strategies against this menace of mankind, not only on the battlefield but also financially and socially, we will unnecessarily suffer the effects of radical fundamental Islamic terrorism for generations to come. This need not be so. We should be careful to not allow political opinions, agendas, or personal legacies to replace political science and the natural laws of compensation and accountability.

I would humbly remind you all that peace does not come through confusion but through clarity. And when dealing with an enemy we must be clear. Iran has, is, and will continue to support and participate in terrorist activities as long as we allow them to do so without any accountability. We must hold the radical fundamental Islamic regime of Iran accountable on every front, on every quarter, and in every way. Failure to do the right thing at this critical time in our history will only result in more lives lost, more chaos, and lead us further down a destructive path that we need not and should not go.

I hope that Congress will seize this leadership opportunity to do the right thing and not simply the easy or convenient thing. Americans are watching you, our Congressional leaders. The world is watching as well. Will the U.S. Congress fund the single largest sponsor of terrorism in the world today or not? I sincerely hope that you will show Americans everywhere and people throughout the world that the United States Congress has its own will and resolve. That America will no longer tolerate terrorism or support for terrorist activities on any level, in any way, including business and banking operations.

I would like to close with two quotes that are very special to me. These statements ring as true today as when they were spoken so long ago. The first captures the very essence of my brother, "I love the man that can smile in danger, gather strength from distress, and grow brave by reflection. 'Tis the business of little minds to shrink, but he whose heart is firm, and whose conscience approves his conduct, will pursue his principles unto death."<sup>7</sup> And the second accurately reflects our duty to those who have gone before us and to our posterity. "We will always remember. We will always be proud. We will always be prepared, so we may always be free."<sup>8</sup>

Thank you very much.

11.04.15

---

<sup>7</sup> Thomas Paine, "The American Crisis" Philadelphia, Pa. 1776

<sup>8</sup> Ronald Reagan, "D-Day Speech" Normandy, France, 1984

# — STETHEM LEGACY —

HONOR      COURAGE      COMMITMENT



**SW2(DV) Robert Dean Stethem November 17, 1961 to June 15, 1985  
American Hero**