

**THE HONORABLE JANE HARMAN**  
**TESTIMONY BEFORE THE HOUSE FOREIGN AFFAIRS COMMITTEE**  
**“CONFRONTING THE IRAN CHALLENGE”**  
**2172 RAYBURN HOUSE OFFICE BUILDING**  
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Iran is a top US foreign policy priority, and how we handle it requires nuance.

Congress deserves substantial credit for asserting its authority over the Joint Comprehensive Plan of Action (JCPOA), by passing the Iran Nuclear Agreement Review Act, and for insisting on punishing Iran’s ongoing malign behavior in the region by sending a veto-proof sanctions package to the President.

Today’s hearing is about “Confronting the Iran Challenge,” so my testimony starts with the JCPOA, but is intended to address the broader challenge. I’d like to make five points.

**1. Keep the Joint Comprehensive Plan of Action.**

If it ain’t broke, don’t fix it.

While the deal isn’t perfect and was only transactional, it’s better than no deal and has enormous impact on any future deal the Administration hopes to make. Many hoped the deal could be transformational, but they were wrong. We should admit it and move forward with additional strategies to deter and punish Iran’s malign activity outside the so-called “four corners” of the deal. Plus, the cat’s out of the bag; Iran already possesses the technological know-how.

Finally, if we withdraw from the deal, Iran could – and has said they will – withdraw too. Some fear Iran might also withdraw from the 1968 Nuclear Nonproliferation Treaty, under which 191 countries have agreed to prevent the spread of nuclear weapons and related technology. To me, that would be a major set-back, and potentially provoke an arms race in the region.

It would also strengthen the hardliners in Iran who opposed the deal and undermine any chances for a US-Iran dialogue. Plus, there are still four American citizens and two permanent US residents being held in Iranian prisons whose chances for release will worsen. This issue is personal to the Wilson Center since our colleague Dr. Haleh Esfandiari was held in solitary confinement in Evin prison in

2007. It took international effort, in which I participated as a Member of Congress, to achieve her release.

## **2. There are merits to making a side agreement to improve the deal.**

There is a reason that President Macron and Chancellor Merkel picked last week to visit the United States. Two of our closest allies want to make sure that the US sticks with the JCPOA.

But they and Britain's Prime Minister Theresa May and Foreign Minister Boris Johnson have said they are open to a 4-party side agreement. (The assumption is that China and Russia – the other parties to the JCPOA – would not join.) The recommendations to improve the deal have merit: removing the expiration date, requiring inspection of military sites, a moratorium on ballistic missile testing and ending Iran's support of terror groups and operations across the Middle East region.

I hope the side agreement is being worked on now, as it would serve as the basis of President Trump's decision later this week not to decertify. Our allies in Europe are acting in good faith to produce something President Trump wants – and I found it reassuring that the President decided to delay tariffs on the EU because alienating our allies on the trade issue only complicates the Iran problem.

## **3. Transformation has failed.**

Iran's malign behavior won't get easier to manage without a deal.

We must be clear-eyed that the Iranian government's strategy to expand the so-called "Shia Crescent" across the region is real, and it is in the US national interest and the interest of our democratic ally Israel and other friends in the region to limit Iranian involvement in Syria, Yemen, and Lebanon, and elsewhere. For example, while results are still being tallied, and despite low turnout, reports suggest that Hezbollah won more seats in the Lebanese Parliament.

Sadly, the US lacks a comprehensive strategy to address the Iranian challenge: we don't have a plan B for what comes after May 12 if the Administration decertifies the deal. In fairness, the Obama Administration also lacked a broader strategy. I strongly support the need for an Authorization for the Use of Military Force (AUMF) across the region to ensure we have one cohesive plan. The effort to enact an AUMF would also mean holding a public debate on the costs and benefits

of a US role there. At present, our policy is tactical and episodic, relying mostly on military technology and intelligence.

We shouldn't be shocked by new evidence Israel has produced that Iran intended to build a nuclear weapons program. I surely never believed the Iranian program was peaceful.

#### **4. There is linkage between the JCPOA and the Democratic People's Republic of Korea (DPRK).**

In announcing the Iran nuclear deal in 2015, then-President Obama said: "This deal is not built on trust. It's built on verification."

The same must be true for any deal that we negotiate with North Korea. And what President Trump does on Iran directly affects what he will be able to do with North Korea. The Kim regime is watching closely. If we walk away from the JCPOA, that's an important message to the DPRK about how seriously we do – or do not – respect the deals to which we agree.

#### **5. Isolation.**

In my role at the Wilson Center – voted by our peers as the best think tank in the world for regional expertise – I get to see foreign issues through a strategic lens.

In addition to Haleh Esfandiari, our experts include Robert Litwak, Aaron David Miller, Abe Denmark, and our new Korea Center Director Jean Lee who lived for two years in Pyongyang heading the Associated Press office. My colleagues all agree that withdrawing from JCPOA will isolate the US, tank the possibility of negotiating a better deal with the DPRK and make it harder for us to work with our allies on other challenges.

We underestimate the need for our European allies at our peril. They are disappointed if not dismayed by the US decision on the Paris Climate Accord and abandonment of multilateral trade arrangements. They helped construct the world order after World War II, and we will pay a huge price if they move to align elsewhere.