



Pull The Plug On The Iran Deal

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When the proposed Joint Comprehensive Plan of Action between Iran and the P5+1 powers was announced in July, it was sold as a tough deal with robust verification that blocked Iran's pathways to nuclear weapons and would lead to peace and stability in the region. However, it soon became apparent that the deal is much weaker than its proponents first suggested. With a vote on Capitol Hill approaching, members of Congress who rushed early to support the proposed deal need to take another look at their positions. The deal as announced weeks ago is already falling apart.

When the proposed Iran pact was announced, President Obama boasted it contained "the most comprehensive inspection and verification regime ever negotiated to monitor a nuclear program." We now know that this bit of hyperbole was false. The proposed deal does not guarantee anytime/anywhere inspections. Rather, inspectors must give 24 days notice before showing up to suspected sites. Also, Iran has the right to veto participation by inspectors to whom they object. And the regime can deny outright access to military sites, which presumably would be the most important sites to inspect. This aspect of the proposal is worse than having no inspections at all because it legitimizes an unworkable and ineffective oversight system.

There are also important questions regarding the secret protocols between the International Atomic Energy Agency and Iran regarding Iran conducting its own inspections at the Parchin nuclear site, which Western intelligence agencies had previously determined had been the location of tests relevant to detonating nuclear weapons. Last week the IAEA reported that Iran has been engaged in new construction at Parchin, and if Iran is expanding activities there it casts doubt on whether the regime intends to abide by the terms of the agreement.

Iran will also enjoy broader sanctions relief than originally stated. The White House has consistently maintained that the only sanctions to be lifted under the terms of the agreement are those dealing strictly with nuclear programs. This is simply not true. To wit, the deal lifts sanctions under the 2012 National Defense Authorization Act Sections 1245(d)(1) and (3), which were imposed because Iran was designated a primary money laundering concern, not because of its nuclear ambitions. Sanctions under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) Section 104(c)(2)(E)(ii)(I) - which impose penalties on financial institutions that support "proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction," especially missile proliferation - will likewise be lifted. Executive Orders 13622 and 13645 will be lifted too, both of which are broad implementations of Congressional legislation targeted at an array of Iranian illicit activities beyond the nuclear realm. And the deal will negate all U.N. Security Council penalties on Iran, including for example UNSCR 1929, which deals with missile proliferation and conventional arms. The combined result of lifting these and other sanctions will be a vastly less stable region and a more aggressive regime in Tehran.

When the deal was announced in July the Obama administration said that it hoped that it would lead to better relations with Iran and a new moderation in Tehran's aggressive regional behavior. However, in the weeks since, Iran has gone out of its way to assure the world that it will stick to its original, expansionist program. Iran's Supreme Leader, Ali Khamenei, has said on several occasions since that the United States and Israel remain Iran's chief adversaries in the region, and has rejected any notion that Tehran would change its policies. Iran is seeking to send a variety of advanced weapons, including SA-22 anti-air missiles and anti-ship cruise missiles to the terror group Hezbollah, and Iranian parliamentary advisor Hussein Sheikholeslam said that Tehran "will do everything to renew" its support for Hamas.

In sum, every important aspect of this deal is now in doubt. What was sold to members of Congress in July is clearly not the agreement currently on the table. Those who had previously voiced support for the JCPOA based on their understanding of what it entailed at first blush should now be free to rethink their position. Enough has changed that it can be argued initial pledges of support were based on false premises, and a vote of support for this flawed and deeply unpopular pact could have negative repercussions back in home districts. However they come down on dealing with Iran, members will own their votes. They should think clearly about what they are buying into.