

NEGOTIATIONS with **IRAN**

ANALYSIS: THE IRAN NUCLEAR DEAL



1. INSPECTIONS
AND VERIFICATION

SATISFIED NOT SATISFIED



2. POSSIBLE MILITARY
DIMENSIONS

SATISFIED NOT SATISFIED



3. SANCTIONS

SATISFIED NOT SATISFIED



4. DURATION

SATISFIED NOT SATISFIED



5. DISMANTLEMENT

SATISFIED NOT SATISFIED



AIPAC

THE AMERICAN ISRAEL PUBLIC
AFFAIRS COMMITTEE

America's Pro-Israel Lobby



July 28, 2015

Dear Member of Congress,

After a thorough review of the proposed nuclear agreement with Iran, including its annexes, we have come to the unfortunate conclusion that this deal does not achieve the minimum requirements necessary for an acceptable agreement.

The determined efforts by America's negotiating team over the past many months deserve great respect, and we remain committed to a successful diplomatic process to bring about an end to Iran's nuclear weapons quest.

Regrettably, however, the proposed deal falls short of its intentions to eliminate every Iranian pathway to a nuclear weapon. In fact, this deal will legitimize Iran as a nuclear threshold state in 15 years.

We believe the United States can, and must, do better.

The pages that follow include a comprehensive analysis of the proposed nuclear agreement, with information about the deal's shortfalls, the grave consequences of accepting it, and an alternative path to this dangerous proposal.

We encourage you to use these documents in conjunction with the text of the agreement to inform your assessment of the deal. Ultimately, we urge you to oppose the deal in order to keep the United States and our allies safer.

Sincerely,

Robert A. Cohen
AIPAC President

Howard Kohr
AIPAC Chief Executive Officer

Richard Fishman
AIPAC Vice Chief Executive Officer

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Any nuclear agreement with Iran must verifiably eliminate every Iranian pathway to a nuclear weapon. The proposed deal fails to do so, and falls short of the five minimum requirements that majorities in Congress, on a bipartisan basis, have said are necessary for a good deal.



1. INSPECTIONS AND VERIFICATION

Minimum Requirement: Inspectors must be permitted unimpeded access to suspect sites.

SATISFIED NOT SATISFIED

Proposed Deal: This deal is dangerous because it fails to achieve “anytime, anywhere” inspections and relinquishes deterrence provided by surprise inspections. The procedure for the International Atomic Energy Agency (IAEA) to determine the need for an inspection could be lengthy, followed by a problematic process to resolve Iranian objections. Inspections could require a 24-day approval process, giving Iran time to remove evidence of violations.

SATISFIED NOT SATISFIED



2. POSSIBLE MILITARY DIMENSIONS

Minimum Requirement: Iran must fully explain its prior weaponization efforts.

SATISFIED NOT SATISFIED

Proposed Deal: This deal is dangerous because it is unclear to what extent Iran must come clean on its prior nuclear work, as the IAEA has not made public its information-sharing agreement with Iran. The deal itself does not specify explicit consequences for Iran if the IAEA is unsatisfied.

SATISFIED NOT SATISFIED



3. SANCTIONS

Minimum Requirement: Sanctions relief must commence only after Iran complies with its commitments over time.

SATISFIED NOT SATISFIED

Proposed Deal: This deal is dangerous because it provides near immediate, rather than gradual, sanctions relief—thereby relinquishing leverage on Iran. Once the IAEA verifies Iran’s initial compliance, Iran will receive up to \$150 billion. Virtually all economic, financial and energy sanctions would disappear. Iran could then dramatically bolster its support for international terrorism. The deal fails to specify consequences for violations and does not condition sanctions relief on sustained Iranian cooperation with the IAEA. If the U.S. seeks to restore sanctions, the limited “snapback” measures may not affect investments or contracts already reached with Iran.

SATISFIED NOT SATISFIED



4. DURATION

Minimum Requirement: Iran’s nuclear weapons quest must be blocked for decades.

SATISFIED NOT SATISFIED

Proposed Deal: This deal is dangerous because it legitimizes Iran’s nuclear program and enables Iran to become a nuclear threshold state. It begins to lift key nuclear restrictions after eight years, and grants Iran virtually instant breakout time after 15 years.

SATISFIED NOT SATISFIED



5. DISMANTLEMENT

Minimum Requirement: Iran must dismantle its nuclear infrastructure such that it has no path to a nuclear weapon.

SATISFIED NOT SATISFIED

Proposed Deal: This deal is dangerous because it leaves almost all of Iran’s extensive nuclear infrastructure intact. It alters Iran’s plans for the Arak heavy water reactor, but requires no dismantlement of any centrifuges or any Iranian nuclear facility.

SATISFIED NOT SATISFIED



INSPECTIONS AND
VERIFICATION



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DISMANTLEMENT

1. INSPECTIONS AND VERIFICATION

Minimum Requirement: Inspectors must be permitted unimpeded access to suspect sites.

Proposed Deal: This deal is dangerous because it fails to achieve “anytime, anywhere” inspections and relinquishes deterrence provided by surprise inspections. The procedure for the IAEA to determine the need for an inspection could be lengthy, followed by a problematic process to resolve Iranian objections. Inspections could require a 24-day approval process, giving Iran time to remove evidence of violations.

Inspections Delayed 24 Days or More: There are no surprise inspections under this deal. It outlines a convoluted, multilateral process by which any IAEA request to investigate an undeclared site could take up to 24 days¹ or longer for approval. Iran could conceal or relocate most nuclear related activities during this period. Also, “the IAEA will provide Iran the basis for such concerns and request clarification”² in advance of an inspection, thereby revealing intelligence that will allow Iran to adapt accordingly.

“Managed Access” is Insufficient: Rather than providing international inspectors unfettered access to undeclared sites as soon as they suspect a violation, the deal relies on so-called “managed access.” Assuming approval is even granted after the vetting ordeal, the IAEA is permitted a limited and supervised visit to any particular location, by which time the area would likely have been sanitized of any evidence of wrongdoing.³

Insufficient Additional Protocol Commitment: There is no requirement that Iran legally commit to the IAEA’s advanced inspections process, known as the Additional Protocol (AP), until late in the deal’s duration. Until then, any Iranian adherence to the AP would be “voluntary” per the terms of the deal. While even voluntary Iranian adherence to the AP would be an improvement, the AP fails to provide adequate investigative authority to the

under-staffed and under-resourced IAEA experts tasked with covering the enormous territory of Iran.⁴

No Americans Allowed: The agreement places arbitrary limits on the number and citizenship of IAEA inspectors, and allows Iran to veto the participation of any inspector. Iran should not be permitted to handpick the IAEA inspection and verification teams that the international community must rely on to ensure Iranian compliance and uncover deception.⁵

Any inspections regime “should include an agreement granting the IAEA necessary access to inspect all suspect sites, including military facilities.”

– Letter to President Obama signed by 391 House members on March 18, 2014

“Any inspection and verification regime must allow for short-notice access to suspect locations.”

– Letter to President Obama signed by 367 House members on March 20, 2015

¹ Joint Comprehensive Plan of Action (JCPOA), Annex 1, Section Q, Paragraph 78

² JCPOA, Annex 1, Section Q, Paragraph 75

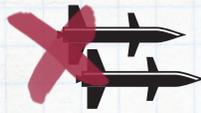
³ JCPOA, Annex 1, Section Q, Paragraph 74

⁴ JCPOA, Annex V, Section D, Paragraph 22

⁵ JCPOA, Annex 1, Section N, Paragraph 67



INSPECTIONS AND
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2. POSSIBLE MILITARY DIMENSIONS

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The Deal is Unclear: This deal raises more questions than it answers when it comes to resolving the possible military dimensions (PMD) of Iran's nuclear program. For example, the deal is unclear on whether IAEA inspections teams will be allowed to inspect Parchin or other military facilities, and have full access to scientists and documents.¹ Without understanding the full extent of Iran's past nuclear weaponization efforts, the IAEA will lack a sufficient baseline to create a truly effective inspections and verification regime.

Unfulfilled Commitments: Out of 12 IAEA questions regarding Iran's nuclear program, the Iranian regime has partially answered only one. Iran has once again promised to answer the IAEA's questions, but it is unclear whether the IAEA must be satisfied with Iran's responses before Iran receives sanctions relief.

Not Tied to Sanctions Relief: Iran has a troubling, consistent history of lying and cheating to advance its nuclear program, including attempts to hide undeclared nuclear facilities. Given this history, the administration insisted that Iran would need to come clean on its past weaponization work before being granted sanctions relief.² Unfortunately, the deal does not unambiguously make sanctions relief contingent on the resolution of the PMD issue.

No Consequences: There are no explicit consequences if the IAEA is unsatisfied with its findings in the information-sharing agreement with Iran.

"Roadmap" to Nowhere: The deal specifies that Iran and the IAEA will follow a "roadmap" toward resolving all outstanding PMD issues by December 2015. But it does not stipulate whether IAEA satisfaction with Iran's answers is necessary before implementation may begin. Further, the IAEA "roadmap" lacks a mechanism for enforcement if Iran fails to be forthcoming. The "roadmap" terms raise several critical questions:

- If Iran fails to cooperate with the "roadmap," what consequences will it pay for its obstructionism? Will non-compliance lead to the dissolution of the deal?
- Will the IAEA inspectors have full, unfettered access to all scientists and sites they deem necessary, or will Iran have a say?
- What consequences will Iran face if IAEA inspectors find evidence that Iran previously attempted to create a nuclear weapon?

"Unless we have a full understanding of Iran's past program, it will be impossible for the international community to judge Iran's future breakout time with certainty."

– Letter to President Obama signed by 367 House members on March 20, 2015

¹ Road-map for the Clarification of Past and Present Outstanding Issues regarding Iran's Nuclear Program, Article 5

² Interview With Judy Woodruff of PBS NewsHour. April 8, 2015, <http://www.state.gov/secretary/remarks/2015/04/240486.htm>



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3. SANCTIONS

Minimum Requirement: Sanctions relief must commence only after Iran complies with its commitments over time.

Proposed Deal: This deal is dangerous because it provides near immediate, rather than gradual, sanctions relief—thereby relinquishing leverage on Iran. Once the IAEA verifies Iran’s initial compliance, Iran will receive up to \$150 billion. Virtually all economic, financial and energy sanctions would disappear. Iran could then dramatically bolster its support for international terrorism. The deal fails to specify consequences for violations and does not condition sanctions relief on sustained Iranian cooperation with the IAEA. If the United States seeks to restore sanctions, the limited “snapback” measures may not affect investments or contracts already reached with Iran.

Unworkable “Snapback”: The process to restore sanctions is complex—requiring up to 65 days. Only “significant non-performance” by Iran is subject to the U.N. mechanism. The deal does not specify consequences for minor violations.¹ Per the deal, “Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitments under the JCPOA in whole or in part.”² This will make countries wary of utilizing the snapback mechanism in any cases but the most egregious.

Grandfathered Contracts: Even if “snapback” is invoked, sanctions would “not apply with retroactive effect to contracts signed between any party and Iran” prior to the “snapback.”³ In other words, there is ambiguity as to whether the “snapback” would apply to signed contracts. If it does, it will make countries whose companies have invested in Iran very reluctant to impose the “snapback” provision. If it does not, it means all contracts signed before “snapback” are grandfathered in.

Frontloaded Sanctions Relief: Sanctions relief should have been provided gradually, in order to judge Iranian compliance over time. Instead, virtually all financial, economic, petroleum, and energy sanctions will be waived or lifted immediately.⁴ Iran will gain access of up to \$150 billion currently locked up

abroad, as well as renewed oil sales and new international investment.

Arms Embargos and Ballistic Missile Provisions

Lifted: The deal lifts the U.N. arms embargos on Iran for conventional weapons in just five years, and ballistic missiles in eight years, or possibly sooner. The U.N. ban on Iranian ballistic missile work is weakened simply to a “call” for Iran to not carry out such activity, and Iran continues to assert that the agreement has no impact on its ballistic missile program.⁵

Non-Nuclear Sanctions Relief: U.S. sanctions on Iran were implemented for a host of reasons beyond the nuclear issue, including missiles, terrorism, human rights abuses and support for the Assad regime in Syria. Numerous entities sanctioned for these non-nuclear causes will receive relief under this deal, including many firms linked to Iran’s Revolutionary Guard Corps.⁶

“We anticipate that any sanctions relief would be phased in over a lengthy period of time to allow the opportunity to gauge Iranian compliance.”

– Letter to President Obama signed by a bipartisan group of 28 senators on July 25, 2014

¹ Joint Comprehensive Plan of Action (JCPOA), Preamble and General Provisions, Paragraphs 36- 37

² JCPOA, Preamble and General Provisions, Paragraph 37

³ JCPOA, Preamble and General Provisions, Paragraph 37

⁴ JCPOA, Preamble and General Provisions, Paragraph 21, Subsections i, iv, viii, x, xii

⁵ United Nations Security Council Resolution 2231, UNSCR 2231, Paragraph 7(b) and Annex B, Paragraph 3

⁶ JCPOA, Annex 2, Attachment 3



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4. DURATION

Minimum Requirement: Iran's nuclear weapons quest must be blocked for decades.

Proposed Deal: This deal is dangerous because it legitimizes Iran's nuclear program and enables it to become a nuclear threshold state. It begins to lift key nuclear restrictions after eight years, and grants Iran virtually instant breakout time after 15 years.

A Definitive End: One fundamental flaw with the Iran nuclear deal is that even if Iran fully adheres to the agreement, the United Nations Security Council (UNSC) will have legitimized Iran's nuclear program and paved Iran's path to a nuclear weapon after just 15 years. At that time, key constraints on the number and type of centrifuges Iran may install, the number of enrichment facilities it may construct, plutonium reprocessing,¹ stockpiles of nuclear material,² advanced centrifuge research and development,³ and Iran's ballistic missiles program⁴ will evaporate. Iran will have a clear, legally sound way to breakout within days if it chooses.

Temporary Restrictions, Permanent Relief: This deal grants Iran permanent sanctions relief in exchange for temporary limitations on its nuclear program. The international sanctions infrastructure will be dismantled in exchange for Iran extending its breakout time by a matter of months throughout the duration of the deal.

Limits on R&D Vanish: According to the nuclear agreement, Iran is permitted to begin testing advanced IR-6 and IR-8 centrifuge models after eight-and-a-half years.⁵ Enshrining Iran's right to operate these advanced models—capable of enriching uranium far faster than Iran's current IR-1 centrifuges—will allow it to break out within days after the restrictions have been lifted.

Empowering Iranian Leadership: Despite decades of illicit nuclear activity, this deal rewards Iran with up to \$150 billion currently locked up abroad and the restoration of international economic and financial ties. The agreement will entrench the current regime and discourage moderate forces. There are no guarantees or assurances that the Iranian regime will be more peaceful or moderate in 15 years than it has been for the past 35 years.

"A final agreement with Iran must put in place a long-term inspections and verification regime, and associated limitations on Iran's nuclear program that lasts at least 20 years."

– Letter to President Obama signed by a bipartisan group of 28 senators on July 25, 2014

"Verifiable constraints on Iran's nuclear program must last for decades."

– Letter to President Obama signed by 367 House members on March 20, 2015

¹ Joint Comprehensive Plan of Action (JCPOA), Section B, Paragraph 12

² JCPOA, Section A, Paragraph 7

³ JCPOA, Section A, Paragraph 3

⁴ United Nations Security Council Resolution 2231, Annex B, Paragraph 3

⁵ JCPOA, Section A, Paragraph 3



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5. DISMANTLEMENT

Minimum Requirement: Iran must dismantle its nuclear infrastructure such that it has no path to a nuclear weapon.

Proposed Deal: This deal is dangerous because it leaves almost all of Iran's extensive nuclear infrastructure intact. It alters Iran's plans for the Arak heavy water reactor, but requires no dismantlement of any centrifuges or any Iranian nuclear facility.

Maintenance of All Nuclear Facilities: This deal allows Iran to keep all of its nuclear facilities, including the uranium enrichment facility at Natanz, the underground uranium enrichment site at Fordow, the heavy water reactor at Arak, and the gaseous-diffusion plant at Isfahan. Although some Iranian activities will be limited for 10-15 years, after that period, "the Iranian nuclear program will be treated in the same manner as that of any other non-nuclear-weapon state party to the NPT."¹ At that point, Iran will have an industrial-sized nuclear infrastructure capable of breaking out in a matter of days, without the risk of timely detection.

No Dismantlement of Centrifuges: This deal does not require Iran to destroy or fully decommission a single uranium enrichment centrifuge. Over half of Iran's currently operating centrifuges will continue to spin at Natanz.² The remainder, including more than 5,000 operating centrifuges and nearly 10,000 not yet functioning, will merely be disconnected and transferred to another hall at Natanz,³ where they could be quickly reinstalled to enrich uranium. Likewise, the more than 1,000 centrifuges at Fordow will remain intact—some idled and others spinning without uranium.⁴ Iran could recover its current enrichment capability in a matter of weeks should it banish IAEA inspectors. After eight years, Iran can begin to manufacture advanced centrifuges that enrich up to 15 times the speed of its current models.⁵

Temporary and Quickly Reversible Reduction of Uranium Stockpile: This deal requires Iran to significantly

reduce its stockpile of low-enriched uranium (LEU).⁶ However, Iran has domestic uranium mines, has mastered the uranium fuel fabrication process, and can easily reassemble its centrifuge arrays, enabling it to quickly generate more LEU if it violates the deal. Moreover, after 15 years, all restrictions expire, even if the IAEA never certifies that Iran's nuclear program is purely for peaceful purposes.

Plutonium Path Merely Delayed: This deal requires Iran to reconfigure the Arak heavy water reactor so that it does not produce weapons-grade plutonium and to sell remaining heavy-water stocks abroad.⁷ However, after 15 years, all impediments are lifted and Iran can build additional heavy-water reactors and acquire the technology to reprocess its spent fuel into weapons-grade plutonium.

"We are hopeful a permanent diplomatic agreement will require dismantlement of Iran's nuclear weapons-related infrastructure...such that Iran will not be able to develop, build or acquire a nuclear weapon."

– Letter to President Obama signed by 391 House members on March 18, 2014

¹ Joint Comprehensive Plan of Action (JCPOA), Preamble and General Provisions, iv

² JCPOA, Section A, Paragraph 2

³ JCPOA, Annex 1, Section F, Paragraph 29

⁴ JCPOA, Section A, Paragraph 6

⁵ JCPOA, Section A, Paragraph 4

⁶ JCPOA, Section A, Paragraph 7

⁷ JCPOA, Section B, Paragraph 10 and Annex 1, Section B, Paragraph 2

The proposed deal with Iran fails to verifiably eliminate every Iranian pathway to a nuclear weapon. It leaves Iran as a nuclear threshold state, jeopardizes U.S. interests, and poses an existential threat to Israel and other American allies. Congress must oppose the proposed deal because it would:



1. LEGITIMIZE IRAN AS A NUCLEAR THRESHOLD STATE

With this agreement, the international community would withdraw its objections to Iran's illicit nuclear activity over the past two decades. Given the restrictions that would be lifted after 15 years, Iran would then have the ability to produce enough fuel for a nuclear bomb within days.



2. RAISE THE PROSPECT OF WAR

Agreeing to this flawed plan of action effectively ends any hope of stopping Iran's nuclear weapons program through diplomacy. Furthermore, once Iran becomes a nuclear threshold state, there would be no peaceful way to stop Tehran in time should it decide to build a nuclear weapon. The world would then either acquiesce to Iran obtaining a nuclear weapon or resort to force to prevent that outcome. A deal that fails to stop Iran's nuclear weapons quest would leave the Middle East far less stable, potentially leading to devastating conflict.



3. SPUR A NUCLEAR ARMS RACE

Our Arab allies fear that a nuclear-capable Iran would become the dominant regional force. With Iran closing in on nuclear threshold status, more than a dozen Arab states have expressed new interest in "peaceful" nuclear programs. Such a deal would encourage nuclear proliferation in the world's most unstable region and would mark the death knell of the global non-proliferation regime and its cornerstone, the Nuclear Non-Proliferation Treaty.



4. INCREASE IRANIAN SUPPORT OF TERRORISM

Iran is already the world's most active state sponsor of terrorism, providing funds, arms and training to terror groups such as Hamas and Hezbollah. The proposed deal provides Iran quick access to an estimated \$150 billion locked in Iranian accounts held abroad. If Tehran gains access to these funds – in addition to new foreign investment and oil revenue – Iran would be able to increase exponentially its support for terrorism around the world.



5. STRENGTHEN THE IRANIAN REGIME

Iran's ruling clerics hope that an Iranian nuclear weapons capability will further their regional ambitions. Iran already actively foments unrest in Lebanon, Iraq, Gaza, Syria, and Yemen. Bolstered by new funding, international legitimacy, additional arms from a phased out arms embargo, and the capacity to build nuclear weapons in 15 years, Iran would be able to extend its regional influence and imperil U.S. interests.



6. UNDERMINE AND THREATEN REGIONAL ALLIES

The proposed deal falls short of Washington's stated goals, calling into question America's global leadership and its commitment to allies. For more than 25 years, U.S. policy has been to cut off Iran's path to a nuclear weapon and to pressure Iran to comply with its international obligations. Under the proposed deal, the United States abandons those objectives, severely damaging our credibility throughout the Middle East.

Below is a series of myths and facts regarding the proposed nuclear agreement with Iran.

MYTH The choice is this deal or war.

FACT The opposite is true. This deal increases the prospects of war. It immediately gives Iran up to \$150 billion, which will bolster Iran's support of terrorism and regional conflicts, requiring a vigorous armed response from neighbors. In the long run, an emboldened and strengthened Iran will seek regional hegemony—dramatically increasing the chances for broader conflict.

MYTH Iran won't get a nuclear weapon.

FACT This deal does not block Iran's path to a bomb (see *Analysis: An Unacceptable Deal*). Instead, the deal legitimizes Iran's nuclear program and allows it to legally reach a nuclear weapons capability with a breakout time measured in only days.

MYTH The whole world backs this deal.

FACT The negotiations with Iran involved the United States and five other countries—none of Iran's neighbors were involved. Many countries in the Middle East, including Israel, Saudi Arabia, and other Persian Gulf countries, are deeply concerned about the impact this deal will have on Iran's ability to fund terrorism and promote instability.

MYTH With no deal, Iran is free from scrutiny.

FACT As a party to the Nuclear Non Proliferation Treaty (NPT), Iran is forbidden from developing nuclear weapons and must undergo regular IAEA inspections of declared sites. With no deal, Iran is still held to inspections of declared sites and cannot pursue nuclear weapons.

MYTH With no deal, Iran will sprint to a bomb.

FACT If Iran turned on all 19,000 installed centrifuges, breakout time would be about two-to-three months to enrich enough uranium to weapons grade. But first, Iran would have to banish IAEA inspectors and reconfigure its centrifuges to produce highly enriched uranium. Iran knows such a breakout would risk a military strike on its nuclear infrastructure, which would grievously damage a program that took decades and billions of dollars to build.

MYTH With no deal, sanctions will fall apart.

FACT On the first day of the deal's implementation nearly all financial, investment, and energy sanctions lift. With no deal, the United States continues to impact the behavior of partners, and U.S. statutory sanctions on elements of Iran's economy continue. Access to the U.S. economy is crucial to most countries and companies, and those that choose to confront the United States on this issue could lose access.

MYTH "Snapback" will work.

FACT The "snapback" mechanism is problematic. It requires up to 65 days to establish and would only apply for major Iranian violations, meaning there are no consequences spelled out for more minor violations. In addition, "snapback" explicitly exempts all international contracts signed before a violation, significantly reducing its impact on Iran.

MYTH This deal strengthens Iran's moderates.

FACT There is no evidence that this deal will impact Iranian foreign policy, support for terrorism or human rights. Instead, the regime will receive an economic boost of up to \$150 billion and renewed oil sales, providing Iran additional resources and legitimacy to pursue its agenda. In fact, the agreement is likely to inspire the regime to expand its extreme behavior as a way to demonstrate its faithfulness to the ethos of the Islamic revolution.

MYTH This deal extends Iran's breakout time.

FACT Given all that is unknown, such estimates about Iranian nuclear capabilities are speculative at best. According to the administration, Iran's purported breakout time extends by months, not years. All meaningful restraints on Iran's nuclear program are removed by year 15, allowing Iran to achieve thereafter a breakout time measured in days.

MYTH Rejection of a deal is unprecedented.

FACT Throughout U.S. history, Congress has rejected agreements negotiated by the executive branch and insisted on substantial changes. Nearly 200 treaties, including 80 multilateral accords, have been modified before they were approved.

Skeptics of this agreement understand why it is a bad deal, but question whether there is any alternative path to preventing Iran from attaining a nuclear weapon. In fact, there are far better options than this dangerous agreement. Congress will make America safer by rejecting this deal, continuing the pressure on Iran, and negotiating a better agreement.

REJECT A BAD DEAL

Throughout the Iran negotiations, the administration repeatedly asserted that “no deal is better than a bad deal,” because it understood that the consequences of a bad deal were far more dangerous than the consequences of no deal. Because this agreement fails to block Iran’s path to a bomb, it is a bad deal. Congress must reject this deal and advance a policy that creates the opportunity for a better deal.

No deal is better than a bad deal. The proposed deal does not satisfy the requirements Congress has set for a good deal in the areas of inspections, possible military dimensions, phased sanctions relief, duration, and dismantlement of Iran’s nuclear infrastructure. It is a bad deal that will allow Iran to legally achieve a nuclear weapons capability.

No deal avoids locking in the negative consequences of a bad deal. By choosing no deal, the United States would avoid the unacceptable consequences of this deal. We would avoid legitimizing Iran’s path to a nuclear weapons capability and providing up to \$150 billion within months to the leading state sponsor of terrorism—which will use funds to promote instability and undermine our regional allies. And we would avoid increasing the prospect of war, spurring a nuclear arms race, and further strengthening the Iranian regime.

No deal opens the door to a better deal. Insisting on a better deal has historical precedent. Throughout history, Congress has successfully insisted on improvements to agreements negotiated by the executive branch. For instance, almost 200 treaties, including 80 multilateral accords, have been modified by congressional amendments, reservations or conditions before they were approved. Major arms control agreements, including the second Strategic Arms Limitation Treaty (SALT II) and the Threshold Test Ban Treaty, failed to gain initial Senate approval, but ultimately led to new negotiations and improved agreements.

CONTINUE ECONOMIC AND DIPLOMATIC PRESSURE ON IRAN

If Congress rejects this deal, the United States will maintain congressionally-enacted sanctions. Other states may lift their sanctions, returning us to the situation we faced between 1996 and 2010 when America led the world by imposing unilateral sanctions on Iran. Iran will still be obligated to honor its commitments under the Nuclear Nonproliferation Treaty (NPT).

If the deal is rejected by Congress, the future of the deal will be cast in doubt. Iran may decide to withdraw from the agreement or remain in the deal without the benefits the U.S. would provide. The president will be obligated to enforce statutory U.S. sanctions that would remain in place, putting continued pressure on Iran and providing leverage to restart multilateral negotiations.

It was U.S. leadership in both sanctions and diplomacy that persuaded our allies to join us in a multilateral effort targeting Iran. That leadership will be the foundation for continued economic and diplomatic pressure on Iran.

The United States has the world’s largest economy and most important financial system in the world. Our sanctions have proven their global impact to dissuade foreign companies from investing in Iran when faced with the threat of isolation.

The NPT remains in effect. With or without a deal, Iran is prohibited by the NPT from developing nuclear weapons and must undergo regular IAEA inspections of declared sites to monitor nuclear activities.

Iran has a clear interest in abiding by the NPT, given that any attempt to break out to a bomb would risk a unified international response and a potential military strike on its nuclear infrastructure, which would grievously damage a program that took decades and billions of dollars to build.

NEGOTIATE A BETTER DEAL WITH CLEAR OBJECTIVES

Building broad international support for a better deal will take time and determination, but that has been the case throughout the past twenty years. With clear objectives, coordination with our regional allies, and sustained pressure, the United States can negotiate a better deal to truly stop Iran's nuclear weapons quest.

A better deal would reaffirm the requirements for an acceptable agreement: the United States would not legitimize Iran as a nuclear threshold state; it would not trade massive sanctions relief for limited temporary constraints; and it would not agree to concessions that will trigger a regional nuclear arms race.

Our current strategy rejects the concerns of Israel and our Arab allies. As a result, it produced an agreement that they view as dangerous. Coordinating our efforts with our regional allies will focus on negotiations that not only stop Iran's nuclear program but seek to enhance regional security—instead of undermining it.

Maintaining economic and diplomatic pressure on Iran will increase its incentive to restart negotiations. Important constraints will remain on Iran irrespective of when negotiations resume.

When faced with the consequences, it is clear that "no deal is better than a bad deal." The right approach is to reject this deal and renew efforts to reach an agreement that will verifiably block all Iranian paths to a nuclear weapon.

"No deal is better than a bad deal."

- President Barack Obama, *Brookings Institution's Saban Forum, Dec. 7, 2013; reaffirmed Dec. 5, 2014*
- Secretary of State John Kerry, *NBC "Meet the Press," Nov. 10, 2013; reaffirmed Feb. 11, 2014; March 3, 2014; July 18, 2014; March 2, 2015*
- Secretary of Defense Ashton Carter, *address at Syracuse University, March 31, 2015*
- Secretary of the Treasury Jack Lew, *address to the U.S.-Israel Joint Economic Development Group, June 18, 2014*
- Chief U.S. Negotiator and Under Secretary of State for Political Affairs Wendy Sherman, *testimony before the Senate Foreign Relations Committee, July 29, 2014; reaffirmed July 16, 2015*



Despite being limited by a weakened economy, Iran threatens U.S. allies in the Middle East and beyond. The deal hands Iran up to \$150 billion—nearly half of Iran’s annual gross domestic product—which will embolden a regime openly committed to confronting the United States and destabilizing the Middle East.

LEADING STATE-SPONSOR OF TERRORISM	HUMAN RIGHTS VIOLATOR
<p>Since the 1979 revolution, Iran has fomented unrest as part of a concerted strategy to spread its radical Islamic ideology and dominate its neighbors. The State Department has designated Iran a state sponsor of terrorism for more than three decades.</p> <ul style="list-style-type: none"> • Iran funds and trains Shi’ite militias, rebel groups and terrorist organizations in Syria, Iraq, Afghanistan, Bahrain, Lebanon, Saudi Arabia, Gaza and Yemen. • Beyond the Middle East, Iran has been implicated in terrorist plots in Bulgaria, Argentina, Uruguay, Peru, Thailand, Nigeria, India and the United States. 	<p>Iran’s authoritarian regime brutally represses internal dissent. Iranian President Hassan Rouhani has not delivered on campaign promises of reform and moderation.</p> <ul style="list-style-type: none"> • In June 2015, the State Department reported on Iran’s deteriorating human rights situation: “judicially sanctioned amputation and flogging;” “severe restrictions on freedom of speech...and press;” “discrimination and violence against women, ethnic and religious minorities, and...[LGBT] persons.” • Iran has imprisoned Washington Post reporter and U.S. citizen Jason Rezaian, holds two other U.S. citizens hostage, and continues to withhold information on a fourth U.S. citizen last seen in Iran.
ANTI-WESTERN POWER	NUCLEAR PROLIFERATOR
<p>The Iranian regime promotes one of the world’s most radical ideologies to achieve its vision of an Islamic state, and seeks to diminish America’s presence and influence in the Middle East.</p> <ul style="list-style-type: none"> • Since 1979, Iranian leadership has viewed Western culture and liberal values as toxic contaminants to its Islamist vision. • The Iranian regime is sworn to Israel’s destruction, and has openly threatened to “wipe Israel off the map.” 	<p>As a party to the Nuclear Nonproliferation Treaty (NPT), Iran has sworn to never obtain nuclear weapons or to use nuclear technology for military purposes, and has pledged transparency in its nuclear activities. But Iran has consistently cheated and lied to the IAEA for 30 years.</p> <ul style="list-style-type: none"> • Of Iran’s eight major nuclear sites, seven were started secretly, in violation of the NPT. • Iran has repeatedly failed to come clean in answering IAEA questions about the nature of its nuclear program.



“If the deal is reached and results in sanctions relief...it’s my expectation that it’s not all going to flow into [Iran’s] economy. I think that they will invest in their surrogates. I think they will invest in additional military capability.”

– Chairman of the Joint Chiefs of Staff Gen. Martin Dempsey, June 9, 2015

NEGOTIATIONS with IRAN

IRAN'S PATIENT PATHWAY TO A NUCLEAR BOMB

If Iran patiently follows the rules of the deal and never cheats, it will still achieve a "legitimate" nuclear weapons capability. This is Iran's patient pathway to a bomb:

STEP 1: WAIT OUT THE IAEA

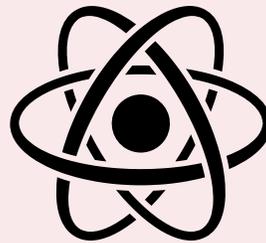
The IAEA must publish a report on Iran's past nuclear work by Dec. 15, 2015. Even with full Iranian cooperation, this short period to assess Iran's capabilities means the IAEA will have limited time and space to resolve outstanding issues.

STEP 2: BUILD ECONOMIC STRENGTH

As sanctions unwind, Iran gets up to \$150 billion, plus new oil revenue and foreign investment. Iran builds economic strength and resiliency, increases support for terrorist groups and bolsters regional proxies.

STEP 9: STONEWALL THE IAEA

Throughout the deal's duration, Iran can delay inspections for 24 days—more than enough time to conceal most violations. If Iran stonewalls incrementally, it will not trigger a major U.S. reaction.



STEP 10: BECOME A NUCLEAR THRESHOLD STATE

Through strategic patience, Iran emerges in 15 years with multiple pathways to a nuclear weapon and a breakout time of days. Iran has a powerful economy immunized against sanctions pressure, increased military capabilities making it the dominant regional power, and nuclear threshold status.

STEP 3: BUILD MILITARY STRENGTH

In five years, the U.N. arms embargo on conventional weapons lifts. Flush with cash from sanctions relief, Iran legally purchases weapons and provides allies and proxies with tanks, aircraft, helicopters, warships and heavy artillery.

STEP 8: EXPLOIT NEW FREEDOMS

After 15 years, all restrictions lift and Iran expands its industrial-sized nuclear program with near-zero breakout time, plutonium reprocessing, unlimited uranium enrichment, and a certified ballistic missile program.

STEP 4: DEVELOP LONG-RANGE BALLISTIC MISSILES

In eight years, or possibly sooner, Iran legally begins expanding its ballistic missile program. Iran also continues expanding its intercontinental ballistic missile (ICBM) program under the guise of satellite testing.

STEP 7: BEND THE RULES

The deal states that Iran will cease meeting its commitments if sanctions are reinstated. Throughout the deal, Iran can get away with small violations, which the U.S. will likely ignore to preserve the deal.

STEP 6: GAIN NUCLEAR LEGITIMACY

In 10 years, the U.N. resolution endorsing the deal terminates. Iran then has a legitimate and legal nuclear program, and can conduct research on all types and numbers of centrifuges to rapidly enrich uranium.

STEP 5: LIFT REMAINING SANCTIONS

After eight years, additional EU sanctions terminate, specifically on Iran's military. Iran can argue that all other sanctions that, per the deal, "block normalization of trade and economic relations" must be lifted.

Throughout negotiations and after the proposed nuclear deal's announcement, Iran's leaders have consistently demonized the West and made genocidal threats towards Israel.

" You heard 'Death to Israel', 'Death to the U.S.' You could hear it. The whole nation was shaken by these slogans. It wasn't only confined to Tehran. The whole of the nation, you could hear, that was covered by this great movement. So we ask Almighty God to accept these prayers by the people of Iran."

– Iranian Supreme Leader Ayatollah Ali Khamenei, July 10, 2015



" Our policy regarding the arrogant U.S. government will not change...We don't have any negotiations or deal with the U.S. on different issues in the world or the region."

– Iranian Supreme Leader Ayatollah Ali Khamenei, July 18, 2015

" Fighting global arrogance is the core of our revolution and we cannot put it on hold. Get ready to continue your fight against the global arrogance...The U.S. is the true embodiment of the global arrogance."

– Iranian Supreme Leader Ayatollah Ali Khamenei, July 11, 2015

" Please shout the messages of all the times, which are 'Death to America,' 'Death to Israel,' 'Death to global arrogance,' and 'Death to international Zionism.'"

– Statement by Iran's Coordination Council of Islamic Propaganda, July 7, 2015



" The behaviors of Obama and Kerry signified reaching an agreement, but as the late Imam Khomeini said the U.S. is the Great Satan and we can never rely on it."

– Chief of Staff of the Iranian Armed Forces Maj. Gen. Hassan Firouzabadi, July 11, 2015

" Zionism and the usurper and fabricated Zionist government in Palestine is doomed."

– IRGC Brig. Gen. Gholam Reza Jalali, July 9, 2015

America's regional allies have expressed serious concerns about the proposed nuclear deal, while its adversaries have praised it.

" By not dismantling Iran's nuclear program, in a decade this deal will give an unreformed, unrepentant and far richer terrorist regime the capacity to produce many nuclear bombs, in fact an entire nuclear arsenal with the means to deliver it."

– Prime Minister Benjamin Netanyahu, Likud party, July 14, 2015



" I think it is bad for Israel. [Netanyahu and I] will certainly cooperate when it comes to the security of Israel. As an Israeli patriot, this deal is dangerous...[Lifting sanctions will] immediately give Iran a lot of money and resources, which will reach our enemies at our borders. Now Iran is out of the cage and will become a regional tiger."

– Opposition leader Isaac "Bougie" Herzog, Labor party, July 15, 2015



" America's allies in the region's intelligence all predict not only the same outcome of the North Korean nuclear deal but worse – with the billions of dollars that Iran will have access to."

– Ambassador Prince Bandar bin Sultan, Saudi Arabian ambassador to the United States (1981 and 2005), July 15, 2015

" In the name of the Syrian people, I congratulate you and the people of Iran on this historic achievement...We are confident Iran will continue, and with greater momentum, to support the peoples' just issues and to work towards establishing peace and stability in the region and the world..."

– Bashar al-Assad, President of Syria, July 14, 2015



Over the past several years, strong bipartisan majorities in the House and Senate have carefully enunciated the basic American requirements for a final agreement on Iran's nuclear program. Congress has made clear that a good deal must eliminate every Iranian pathway to a nuclear weapon. This deal does not achieve the minimum requirements for an acceptable agreement.



1. INSPECTIONS AND VERIFICATION

Inspectors must be permitted unimpeded access to suspect sites.

Any inspections regime "should include an agreement granting the IAEA necessary access to inspect all suspect sites, including military facilities."

– Letter to President Obama signed by 391 House members on March 18, 2014

SATISFIED NOT SATISFIED



"Any inspection and verification regime must allow for short notice access to suspect locations."

– Letter to President Obama signed by 367 House members on March 20, 2015



"We believe Iran must also submit to a long-term and intrusive inspection and verification regime."

– Letter to President Obama signed by 83 senators on March 18, 2014



2. POSSIBLE MILITARY DIMENSIONS

Iran must fully explain its prior weaponization efforts.



"Unless we have a full understanding of Iran's past program, it will be impossible for the international community to judge Iran's future breakout time with certainty."

– Letter to President Obama signed by 367 House members on March 20, 2015

SATISFIED NOT SATISFIED



Any agreement "must fully explain the questionable activities in which [Iran] engaged at Parchin and other facilities."

– Letter to President Obama signed by 83 senators on March 18, 2014



"An agreement that effectively prevents Iran from acquiring a nuclear weapons capability demands transparency on the extensive research and development work that Iran has undertaken in the past."

– Letter to Secretary of State Kerry signed by 354 House members on Oct. 1, 2014





3. SANCTIONS

Sanctions relief must commence only after Iran complies with its commitments.

"We anticipate that any sanctions relief would be phased in over a lengthy period of time to allow the opportunity to gauge Iranian compliance. Further, the consequences for Iran of non-compliance or breach must be stipulated in the agreement. Any violation of the agreement must be met with a robust U.S. and international response."

– Letter to President Obama signed by a bipartisan group of 28 senators on July 25, 2014

SATISFIED NOT SATISFIED



4. DURATION

Iran's nuclear weapons quest must be blocked for decades.

"Verifiable constraints on Iran's nuclear program must last for decades."

– Letter to President Obama signed by 367 House members on March 20, 2015

SATISFIED NOT SATISFIED



5. DISMANTLEMENT

Iran must dismantle its nuclear infrastructure so it has no path to a nuclear weapon.

"We are hopeful a permanent diplomatic agreement will require dismantlement of Iran's nuclear weapons-related infrastructure...such that Iran will not be able to develop, build or acquire a nuclear weapon."

– Letter to President Obama signed by 391 House members on March 18, 2014

SATISFIED NOT SATISFIED

"Any agreement must dismantle Iran's nuclear weapons program and prevent it from ever having a uranium or plutonium path to a nuclear bomb."

– Letter to President Obama signed by 83 senators on March 18, 2014

SATISFIED NOT SATISFIED

"Iran has no reason to have an enrichment facility like Fordow."

– Letter to President Obama signed by 83 senators on March 18, 2014

SATISFIED NOT SATISFIED



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