

THE IRAN NUCLEAR DEAL AND ITS CRITICS

In 2015, President Barack Obama's administration struck an agreement with the government of Iran and other countries intended to limit Iran's ability to build nuclear weapons. In May 2018, President Donald Trump announced that the United States would withdraw from the agreement known as the "nuclear deal" with Iran. All the nations who signed the deal, however, advised Trump not to withdraw. What will be the consequences of U.S. withdrawal?



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Officials from (l to r) China, France, Germany, the European Union, Iran, Russia, the United Kingdom, and the United States announce the framework of the comprehensive agreement on Iran's nuclear program in Switzerland, April 2015.

Before 1979, the United States and Iran were on generally good diplomatic terms. In 1979, however, the Iranian Revolution began, which installed a Shia Islamist regime. During the revolution, Iranian student militants seized the U.S. embassy and took Americans hostages. They were held over a year in Tehran, Iran's capital.

The Iranian government also formed the Iranian Revolutionary Guard Corps (IRGC). The IRGC is a branch of the military that has been accused of sponsoring terrorism and training Islamist militants in Iraq and other neighboring countries. In 1980, the U.S. severed diplomatic relations with Iran. Diplomatic relations have never been renewed. Since 1984, the U.S. has designated Iran as a state sponsor of terrorism.

Relations between the U.S. and Iran have become even more strained over suspicions that Iran has been developing nuclear weapons. U.S. assistance to Iran's nuclear-energy development ended in 1979. As early as 1998, the U.S. announced concerns that Iran — still designated as a state sponsor of terrorism — might be developing nuclear weapons and not just nuclear energy for civil purposes.

Nuclear Power Capability

When natural uranium is mined from the earth, it contains less than one percent of uranium-235 (U-235), a chemical element that is essential for nuclear power plants and nuclear bombs alike. (It is thus considered less than one percent "enriched" with U-235.)

Most nuclear-power reactors use uranium that is enriched to around five percent. For nuclear weapons,

uranium needs to be enriched to 90 percent or more. In all cases, large facilities called centrifuges are necessary to enrich uranium.

In April 2006, Iran announced for the first time that it had developed uranium enriched for nuclear power plants. In response, the United Nations Security Council (UNSC) imposed sanctions, or penalties, on Iran in December 2006. One sanction banned Iran from importing nuclear-related materials and technology. Another was a "freeze" of financial assets around the globe owned by any Iranian person or company involved in the nuclear program. In June and July of 2010, the UNSC strengthened sanctions against Iran, as did the U.S. and the European Union (EU).

Terms of the Nuclear Deal

In 2013, President Obama and Iran's President Rouhani had a phone call, which was the highest level interaction between the U.S. and Iran in over 30 years. Finally, on July 14, 2015, the five permanent members of the UNSC (U.S., China, France, Russia, and the UK) and Germany entered into the agreement with Iran. It is officially called the Joint Comprehensive Plan of Action (JCPOA) to limit Iran's nuclear program. It is commonly called the Iran nuclear deal.

Before the JCPOA agreement, Iran was enriching its uranium to 20 percent. As part of the deal, Iran must limit enrichment to 3.67 percent, far below the level needed for weapons. And Iran must reduce the number of operational centrifuges for uranium enrichment from over 19,000 to 6,104.

Additionally, Iran is not allowed to maintain over 300 kilograms of enriched uranium. To comply, Iran shipped over 12 tons of enriched uranium to Russia.

Iran had to make changes to some of its nuclear facilities. It had to turn its Fordo enrichment plant into a research facility. It also is required to modify its Arak facility to ensure that the facility is not capable of producing weapons-grade plutonium, another common source-material for nuclear weapons.

Finally, Iran had to grant the International Atomic Energy Agency (IAEA) unprecedented access to monitor its nuclear facilities. Using high-tech devices, IAEA closely monitors uranium enrichment at Iran's nuclear facilities 24 hours a day. Most of the obligations on Iran in the agreement last from 10 to 25 years. After that time, the provisions will end, or "sunset."

The deal almost immediately unfroze over \$100 billion in Iranian assets overseas. Other benefits to Iran would kick in after eight years and once the IAEA verified that Iran had fulfilled its major obligations. These benefits include the EU ending nuclear-related economic sanctions. The U.S. would also lift nuclear-related sanctions. And the UNSC members plus Germany, called the P5 + 1, would allow Iran to enter the international banking system, give Iran permission to sell oil in international markets, and unfreeze billions of dollars of Iranian assets overseas.

In addition, the P5 + 1 must recognize Iran's right to enrich uranium for peaceful purposes. All countries that are a part of the Iran deal are parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which guarantees this right.

As a result of the deal, Iran was forced to end its nuclear-weapons program and has been subject to extensive IAEA inspections. Thus, Iran's "breakout time," or the time it takes to build one operational nuclear weapon, has been extended. Before the deal, experts predicted that Iran's breakout time was three to four months. After the deal, experts say that it would now take Iran about one year to produce a nuclear weapon, which of course it cannot do, under the terms of the deal.

President Obama said the nuclear deal was "a victory for diplomacy, for American national security, and for the safety and security of the world."



A protester against the Iran nuclear deal at a rally in Washington, D.C., September 2015.

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A Contentious Atmosphere

In the U.S. Congress, supporters of the agreement argued that it would stop Iran from producing nuclear weapons for the next 10 to 25 years. The extended breakout time would give the U.S. time to impose more sanctions or intervene militarily if relations between the U.S. and Iran deteriorate. The limit on enrichment to 3.67 percent and the limit of 300 kilograms of enriched uranium within Iran would be enforced by the extensive IAEA inspections. IAEA inspectors would have 24/7 access to Iran's nuclear facilities.

Opponents in Congress argued that there would be nothing stopping Iran from producing a nuclear weapon after the sunset provisions in

10 to 25 years. They also argued that eliminating sanctions would just put Iran in a better position financially to develop nuclear weapons once the sunset provisions expire. They argued that the nuclear agreement did nothing to prevent Iran from stockpiling traditional non-nuclear weapons. Nor did it stop the IRGC from funding terrorist groups in the Middle East or committing human rights abuses inside Iran.

Congress voted on the deal in a contentious atmosphere. First, Congress passed the Iran Nuclear Agreement Review Act of 2015. One of the requirements of the Act was that the U.S. President must certify every 90 days that Iran is in compliance with the nuclear agreement. The requirement to certify the agreement every 90 days is part of U.S. law and is not part of the agreement itself. With each certification, some sanctions against Iran would be eased.

The JCPOA is a presidential agreement, not a treaty. So the Senate did not need to approve it under Article II, Section 2, of the U.S. Constitution. But in September 2015, Senate Republicans still tried to reject the JCPOA in a procedural vote. All but four Senate Democrats voted to block the Republicans' effort.

The House of Representatives also rejected a resolution approving the nuclear deal. The vote was 162-269, with all but one Republican voting against the resolution. But the House vote could not end the agreement.

SENATORS DEBATE!

In support of the Joint Comprehensive Plan of Action to limit Iran's nuclear program, or the Iran nuclear deal, Democratic Senator Martin Heinrich of New Mexico spoke on the Senate floor in 2015, saying,

The comprehensive, long-term deal achieved earlier this month includes all the necessary tools to break each potential Iranian pathway to a nuclear bomb.

Further, it incorporates enough lead-time, which we currently do not have, so that should Iran change its course, the United States and the world can react well before a device could be built; a scenario I hope never occurs, but one that—even with this accord—truly leaves all options on the table. Including the military option.

In opposition to the Iran nuclear deal, Republican Senator Marco Rubio of Florida said in a floor speech,

At some point in the near future, when the time is right, they will build a nuclear weapon, and they will do so because at that point they will know that they have become immune, that we will no longer be able to strike their nuclear program because the price of doing so will be too high.

Independent Senator Angus King of Maine, who voted in favor of the nuclear deal, also spoke on the Senate floor, saying,

This agreement is flawed. It is not the agreement that I would prefer. . . . But this is the agreement that is before us, and the analysis cannot be strictly of the agreement itself within its four corners, but compared to what? That's really the basic question here: Not "Is this a good deal or a bad deal?" The question is: How does this deal, no matter what its flaws, compare with the alternatives that are out there?



House Democrats/flickr.com



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Senate.gov

To Certify or Not?

During his run for president in 2016, Donald Trump consistently criticized the Iranian agreement. Nonetheless, during his first year as president, Trump twice certified Iran's compliance. On October 13, 2017, however, he refused to certify compliance stating that he did not think the deal is in the best interest of the U.S. Since the certification is required under U.S. law and not by the agreement itself, the U.S. remained part of the agreement at that time.

President Trump also charged that Iran was not complying with the agreement. The IAEA, however, asserted that Iran is in compliance. In January 2018, Trump certified the agreement again. But he signaled that he wanted to renegotiate the deal someday with terms more favorable to the U.S.

Under the law, after a president's refusal to certify, Congress has 60 days to address the alleged noncompliance. Congress has the option to re-impose sanctions against Iran. If Congress does not act within 60 days, however, the sanctions will not be re-imposed, and the U.S. will continue to be a part of the nuclear agreement.

The Trump administration believed Congress should eliminate the sunset provisions within the 60-day period. The president also wanted Congress to add a "trigger" that would re-impose sanctions for certain non-nuclear activities as well, including working on a ballistic missile program.

On May 8, 2018, President Trump announced that the U.S. would withdraw from the deal and re-impose sanctions against Iran. Iran and the European parties to the agreement believe that re-imposing U.S. sanctions would be a material breach (a violation) of the deal. But the European parties believe that the deal could be saved even if the U.S. withdraws. Nevertheless, Iran had declared it would leave the deal if the U.S. pulled out.

Arguments for U.S. Withdrawal

In his announcement of withdrawal, President Trump said "Iran's leaders . . . are going to want to make a new and lasting deal, one that benefits all of Iran and the Iranian people." He long argued that U.S. withdrawal from the JCPOA could force Iran back to the negotiating table. It could lead to a new deal with more favorable terms for the United States.

U.S. regional allies Saudi Arabia and Israel expressed fears about an even stronger Iran that could result from sanction relief. Iran has funded terrorist or militant groups that have fought against these countries. Iranian leaders have made repeated threats against Israel over the years, too. Iran's military chief of staff threatened to destroy Israel at "lightning speed" in September 2017.

The end of sanctions could also make it easier for Iran to produce nuclear weapons after the sunset provisions expire. But if Iran violated the terms of the deal ▶

after sanctions ended, the P5 + 1 and the EU could re-impose sanctions. Some analysts say that at that point Iran would consider itself free from the nuclear deal. It would just go right on developing nuclear weapons.

Even with the nuclear deal, Iran could be free to continue funding terrorist or militant organizations in the region, such as Hezbollah in Lebanon or Hamas in Israel. It could also build more conventional weapons, such as ballistic missiles, and continue to carry out human rights abuses with no oversight from the United States. As U.S. Ambassador to the UN Nikki Haley said, “Iran’s leaders want to use the nuclear deal to hold the world hostage to its bad behavior. . . .”

Arguments for U.S. Compliance

With U.S. withdrawal from the JCPOA, it is not clear that Iran will renegotiate terms. Iran has not shown any willingness to renegotiate. Iran’s Vice Minister for Legal and International Affairs Abbas Araghchi said that after the U.S. did not certify Iran’s compliance in 2017, the deal could not be renegotiated.

It is also not clear that the agreement between Iran and the other U.S. allies will remain in place. After President Trump’s announcement of withdrawal, French President Emmanuel Macron pledged to remain part of the deal. Leaders of Germany and the United Kingdom, as well, pledged their commitment to it. Withdrawal places the U.S. at odds with European allies.

An end to the deal also means that the IAEA inspections will end. Iran could restart its nuclear-weapons program without extensive inspections on the enrichment of uranium.

Supporters of the JCPOA warn that withdrawal could harm U.S. credibility internationally. Other countries may likely distrust any agreement with the United States for fear the United States would renege.

Supporters also say this could have a harmful effect on U.S. efforts to limit or eliminate North Korea’s nuclear capabilities.

Supporters of the deal also argue that a lack of sanctions might prompt Iran to have a greater desire to join the international community. It might end its desire for nuclear weapons by the time the provisions sunset. In the meantime, the breakout time would remain extended, and the IAEA would continue to get uninterrupted monitoring of Iranian nuclear facilities. If Iran does decide to build a nuclear weapon, violating the deal, then no U.S. options (sanctions or even military intervention) would be off the table.

One day following President Trump’s announcement, military confrontations flared between Israel and Iran. IRGC forces in Syria fired 20 rockets into the Golan Heights, an area controlled by Israel that borders Israel and Syria. Israel responded by bombing Iranian military sites in Syria (there to defend the regime of Bashar al-Assad in Syria). Israel claimed the IRGC forces struck first, but a UK-based human rights group claimed that Israel first bombarded a town in the demilitarized zone between Israel and Syria.

WRITING & DISCUSSION

1. Explain why the United States and other UN member nations want to curtail Iran’s nuclear-weapons capabilities. Use evidence from the article.
2. Some supporters of the nuclear deal point out that it was intended only to affect Iran’s nuclear-weapons capabilities. They dismiss the argument that Iran can still develop conventional weapons while the deal is in effect. What might the consequences be if the U.S. were to try to renegotiate the deal to limit Iran’s conventional-weapons development, too?

ACTIVITY: Be It Resolved! The Iran Nuclear Deal

You are on a Senate subcommittee on foreign policy. As a senator, your task is to decide on a resolution that would recommend future actions of the United States with regard to Iran’s nuclear program.

1. Form groups of four or five. Each group is a subcommittee.
2. In your subcommittee, come up with at least two reasons why the United States should re-establish the agreement and two reasons why the United States should not re-establish the agreement and instead just leave sanctions against Iran in place. Use all available evidence in the article.
3. As a group, decide whether or not your resolution will seek to re-establish the agreement or leave sanctions in place. Jot down your subcommittee’s decision and at least two reasons for that decision.
4. Choose a spokesperson who will present and defend your subcommittee’s decision to the rest of the class.
 - a. Be prepared to help your spokesperson if any member of another subcommittee questions or challenges your subcommittee’s decision.
 - b. Each spokesperson will have one minute to present the decision and then will have one minute to answer questions from the other subcommittees.
5. After all subcommittees have presented, each senator will write a draft of a resolution to the rest of the Senate of 250-300 words answering the question: Should the Iran Nuclear Deal be re-established?

Annotated Timeline

- A. Each student creates a timeline:
- 1) Take a sheet of note paper and turn it sideways (landscape layout).
 - 2) Using a ruler or other straight edge, draw two lines across the middle of the paper, spacing *at least four inches* between each line.
 - 3) Insert the following years as follows:
1979, 1980, 1984, 1998, 2006 (above the first line), and
2010, 2013, 2015, and 2017 (above the second line).
- B. Read the article. As you read, annotate the years on the timeline by writing a brief description of a main event for each year below the line. Each description should be 10-20 words in length.
- C. For at least four of the years, draw a simple picture of the main event described next to the corresponding description.

Multimedia Presentation

- A. Working in groups of three to four students each, conduct independent research and create a multimedia presentation (using presentation software, usually a slide show) on a specific topic from the list below. A slide show should include (a) at least three slides with images, and (b) a separate script written for the presentation of 40-50 words per slide.
- 1) *STEM Presentation*. Example topics: nuclear weapons, nuclear power plants, enrichment.
 - 2) *Geography Presentation*. Example topics: Iran's human rights violations, Iran's terrorism funding in the Middle East, Iran's rivalry with Saudi Arabia in the Middle East.
 - 3) *World History Presentation*. Example topics: Iran's UNESCO World Heritage sites; Iran's religious, linguistic, and ethnic diversity; an overview of the history of Iran from 1953 to the present day.
 - 4) *Government and Politics*. Example topics: the structure of Iran's government, Iran's foreign policy, Iran's theocracy.
- B. Each group presents its slide show to the class.

Discussion: Iran vs. North Korea

- A. Read "What Should the U.S. Do About North Korea's Nuclear Weapons?" (*Bill of Rights in Action*, Winter 2018. URL: <http://www.crf-usa.org/images/pdf/WhatShouldTheUSDoAboutNKorea.pdf>).
- B. In small groups of four or five students each, discuss (a) the comparative effect of economic sanctions in Iran and North Korea, (b) the comparative current United States foreign policy in North Korea and Iran, (c) the comparative effect of United Nations policy toward each country, and (d) the methods that the international community and the U.S. can use to deter each country's nuclear weapons development.
- C. Write a short essay of 100-200 words answering this question: *Which country's nuclear weapons program is more challenging to the United States, Iran or North Korea? Why?*

These extension activities were created by teacher Jennifer Jolley, M.A. Jennifer is a National Board Certified Teacher in Social Sciences. She teaches AP U.S. government/politics, AP U.S. history, and world history honors at Palm Bay Magnet High School in Melbourne, Florida. Jennifer is a teacher-leader in CRF's Teacher to Teacher Collab: www.crf-usa.org/t2tcollab.



Sources

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Standards Addressed

Iran Nuclear Deal

California History-Social Science Standard 10.10: Students analyze instances of nation-building in the contemporary world in at least two of the following regions or countries: the Middle East, Africa, Mexico and other parts of Latin America, and China. (1) Understand the challenges in the regions, including their geopolitical, cultural, military, and economic significance and the international relationships in which they are involved. (2) Describe the recent history of the regions, including political divisions and systems, key leaders, religious issues, natural features, resources, and population patterns.

National Civics Standard 22: Understands how the world is organized politically into nation-states, how nation-states interact with one another, and issues surrounding U.S. foreign policy. **High School:** (6) Understands how and why domestic politics may impose constraints or obligations on the ways in which the United States acts in the world (e.g., long-standing commitments to certain nations, lobbying efforts of domestic groups, economic needs). (9) Understands the current role of the United States in peacemaking and peacekeeping

National World History Standard 44: Understands the search for community, stability, and peace in an interdependent world. **High School:** (13) Understands how global political change has altered the world economy (e.g., what participation in the world economy can mean for different countries).

Common Core State Standards: SL.11-12.1, SL.11-12.3, RH.11-12.1, RH.11-12.2, RH.11-12.3, RH.11-12.4, RH.11-12.6, RH.11-12.8, RH.11-12.10, WHST.11-12.1, WHST.11-12.2, WHST.11-12.9, WHST.11-12.10.

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