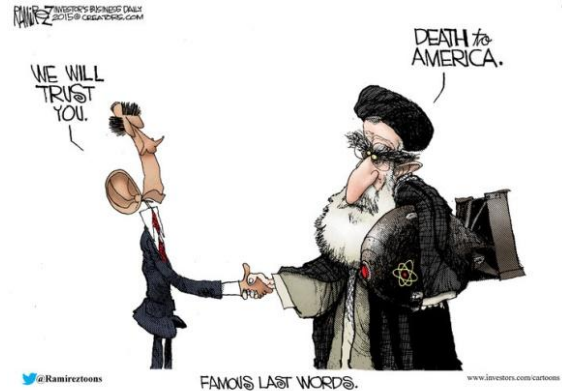


 **THE NUCLEAR  
DEAL WITH IRAN:  
ARE WE  
OUTSOURCING  
THE SECURITY  
of the  
UNITED STATES?**

Stephen L. Bakke  August 21, 2015



### How did we get here? (Uh ... Incidentally, where are we?)

While negotiations with Iran have been going on for quite some time, it seems to have entered the public consciousness within the last year when it was announced that negotiations with Iran could possibly result in an agreement. Soon thereafter we experienced our President trying to dodge his obligation to bring treaty agreements to the Senate for approval. Rather, he denied this was a treaty and favored seeking U.N. approval as a substitute. I think of that as being similar to a prosecutor shopping for friendly expert witnesses and a favorable judge.

Obama's intended end-run around the Senate brought loud protests from senators. In fact, 47 of them sent a letter to Iran emphasizing the requirement for the President to obtain a two-thirds Senate approval. Of course that brought cries of "TREASON!" There also were claims of violations of the totally impotent and irrelevant "Logan Act" of 1799.

All of this brings us to the final agreement with Iran which is now before the Senate for approval. Hearings and debates are in process, with the vote to occur in September. I think it's reasonable to assume the Senate will reject the treaty, which action (and this surprised me) would then be sent back to the President's desk for the inevitable veto. He would veto this Senate action, so it's reasonable to predict that his agreement will go into effect. This will likely happen because it's doubtful that two-thirds of both houses of Congress could be mustered for a veto override.

But the deal isn't yet in effect, so I decided it was time for me to figure out what I think about the legislation. My conclusion is "thumbs down" given the information I will enumerate below. **It seems we are "outsourcing" the security of the United States.** At the end of the report is a brief summary of my most significant information sources.



### Unexpected faces of dissent

We have heard some unexpected opinions from both sides of the aisle. We know about **Democrat Senators** Charles Schumer and Robert Menendez, both announcing their **opposition** to the deal – and there are several others who might do the same. There's a chance of opposition from Democrat Senators Cardin, Manchin, Coons and Bennet in particular, and the list goes on.

We also have heard from **Republicans who support** Obama's agreement – for example George HW's national security advisor Brent Scowcroft and former Senator Richard Lugar.

What the republican's say: Since the U.S. is just one of several parties to the deal, Lugar warns that we would be abandoning international partners if this arrangement isn't ultimately passed. He also stated: "This is the best opportunity we have to delay and potentially stop an Iran nuclear situation."

Using Menendez as a mouthpiece for democrat support, he stated: "We ... are now embarked, not on preventing nuclear proliferation, but on managing or containing it ... The questions is: What do we get from this agreement in terms of what we originally sought? ... This deal is based on 'hope' ... Hope is part of human nature, but unfortunately it is not a national security strategy."

### What do the supporters like to point out?

If the deal works, following are the benefits, according to its supporters:

- This is a step forward in ensuring peaceful purposes for Iran's nuclear program.
- Uranium enrichment by Iran is strictly regulated for at least 15 years.
- 97% reduction in the country's existing enriched uranium stockpile.
- Majority of Iranian centrifuges eliminated.



- U.N. restrictions on Iranian arms sales and ballistic missile development.
- Intrusive and rigorous inspections and compliance confirmations.
- Detailed dispute-resolution process – under U.N. jurisdiction.
- Reduces the region's instability.
- Encourages mutual trade benefits between the U.S. and Iran – hopefully this would soften Iran's resolve to "kill the "great satan."

- Lowers the "temperature" of the U.S. vs. Iran relationship.
- The alternative to this agreement is a likely expanded Mideast conflict – even war for the U.S.
- Admitting this is a flawed arrangement, supporters are satisfied no better alternative exists.

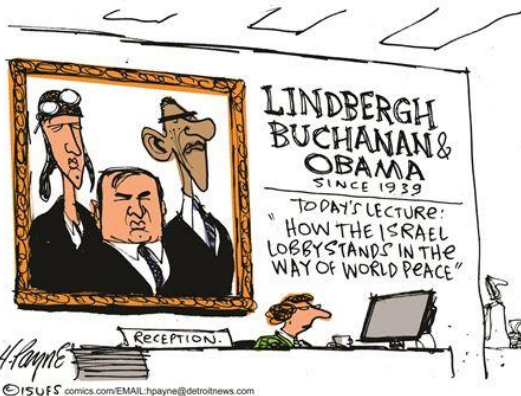
### What's troubling opponents of the deal?

The following are thought to be troublesome:

- The success of this deal is (in the words of Senator Menendez) "**aspirational!**"
- Too many concessions with little in return – e.g. prisoner release, human rights issues, and "anytime inspections."
- Too much focus on just getting a deal, with little focus on the broader Mideast issues – e.g. the Israel/Palestine conflict.
- The U.S. has limited "standing" relative to the deal. It's largely under U.N. authority.



- It seems that the U.S. is shut out of many direct aspects of the monitoring process – Iran didn't want us involved, and it got its wish.
- The original insistence of unfettered access has become “managed (by Iran) access.”
- Iran has the right to declare some military sites (non-nuclear they “claim”) off limits.
- Iran has the right to deny access to any undeclared nuclear site. That denial triggers an elaborate, and slow, dispute resolution process.
- The approval and dispute resolution process can take up to 24 days – time to “cover tracks.”
- A top adviser to Iran's Supreme Leader Khamenei stated: “Regardless of how the P5+1 countries interpret the nuclear agreement, their entry into our military sites is absolutely forbidden.”
- Many supporters of the deal acknowledge this could lead to a nuclear arms race in the region.
- We will be releasing to Iran up to \$150 billion over time. There is no denial that it “could” help fund terrorism – only “hope” that it won't. And that can't be monitored. In addition to these funds, the positive effect for Iran of sanction relief will also be billions of dollars.
- Regarding the funds to be released, our President naively stated: “Our best analysts expect the bulk of this revenue to go into spending that improves the economy and benefits the lives of Iranian people.”
- Acceptance of the deal assumes Iran's leadership is “rational,” now and in the future. **Rational!?**
- Iran has unlimited time to approve the deal and given the negotiation techniques of the region this could be an endless process.
- It's clear that Obama's claim that “Iran will not be able to achieve a nuclear weapon” is purely (I repeat) “aspirational” and way too dependent on Iran's good intentions and a significant “change of heart.” It's really just a “delay” process (I shouldn't say “appeasement,” ... so I won't).



- **We've heard rumors of “side deals”** that include provisions not officially in the agreement. One of those has now been revealed – Parchin (a notorious major nuclear site) will be monitored by the Iranians themselves. The required samples and photographs will be created and delivered **by the Iranians**. There's now some disagreement between these international reports and the IAEA whether or not, or the extent to which, this report is true. It seems the lead U.S. negotiator, secretary of State John Kerry,

can't comment because according to his own statement, he hasn't seen these side agreements. **GOOD GRIEF!** You can't make this kind of stuff up!

Those arguing for the Iran nuclear deal sheepishly admit their reticence about attaching certainty to the likelihood of success of this deal as to the goal of eliminating Iran as a nuclear threat. Yet, most claim absolute certainty that “holding out” for a better deal will alienate our international partners and almost certainly result in war involving the U.S.

Think about that, proponents seem to have reasonably high confidence that the rascal/rogue state of Iran will “deliver” on the terms of the deal. Yet, they have little confidence in U.S. leadership driving home a tougher deal and/or doing what is necessary to influence the international community and avoid major conflict. If they are right, it demonstrates how far we have fallen out of

influence in the international community, and how soft the Administration's negotiating skills really are. That's a really dark place to be. I'm glad I'm not there.

**Most significant sources of information**

New York Times  
Washington Post  
Washington Times  
Fortune – Nina Easton  
The Daily Signal – Heritage – Natalie Johnson  
Townhall  
The Patriot Post – Nate Johnson  
The Atlantic – Shadi Hamid  
Associated Press Reports  
National Review

The Center for Security Policy – Jim Hanson  
Minnesota Peace Project  
Foxtrot Alpha (blog)  
Jerusalem Post – Jonathan Tobin  
Jewish World Review  
James Woolsey – former CIA Director  
Dennis Prager  
Charles Krauthammer  
Cato Institute – Christopher A. Preble  
Four Star Admiral James A. Lyons