

The Biden Administration's Iran Plan Won't Work: Time for Plan B

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KEY TAKEAWAYS

The Biden Administration's risky efforts to revive the flawed Iran nuclear deal would bolster Iran's oppressive and aggressive dictatorship.

The White House needs a realistic policy to defeat Iran's nuclear, regional, and terrorist threats and must hold the regime accountable for its human rights abuses.

Washington must refuse sanctions relief as long as Iran continues its hostile acts and must focus on deterring and defeating Tehran's multiple threats.

The Biden Administration's risky efforts to revive the deeply flawed 2015 Iran nuclear deal, officially called the Joint Comprehensive Plan of Action (JCPOA), have been derailed by unacceptable Iranian demands for guarantees and sanctions relief that were not part of the original deal.

But the Administration has signaled that it still wants an agreement and is willing to return to negotiations to seal a deal. Another flawed nuclear deal would bolster Iran's Islamic dictatorship by lifting sanctions and unfreezing billions of dollars of Iran's frozen assets, at a time that the regime is crushing a popular revolt at home, launching proxy attacks abroad, supporting Russia's war on Ukraine, and moving ahead with a worrisome nuclear program with suspected military dimensions.

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Reviving the JCPOA would undermine the security of the United States and its allies by enriching, empowering, and emboldening a fiercely hostile regime and its terrorist proxies, while legitimizing Iran's nuclear program and giving it a patient, but assured, path to nuclear weapons. By discarding the Trump Administration's "maximum pressure" policy, the Biden Administration has reduced the costs to Iran of continuing its nuclear advances and flouting its obligations under its International Atomic Energy Agency (IAEA) nuclear safeguards agreement.

The United States, along with partners, must now escalate pressure on Iran and declare that the 2015 nuclear agreement is dead. The long-overdue hardening of the Administration's policy would help it to pivot to containing Iran's multifaceted nuclear, regional, international, and proxy threats. The Biden Administration should immediately abandon its doomed efforts to accommodate a radical regime infused with an inexorably hostile anti-American ideology and shift to a more realistic and proactive strategy for deterring, containing, and defeating the multitude of Iranian threats.

Protest Problems

The ultra-hardline regime of President Ebrahim Raisi has painted itself into a corner by rejecting the tentative nuclear deal negotiated by the preceding government of President Hassan Rouhani and seeking to extract more concessions from the United States for returning to the JCPOA. After the Biden Administration rejected Iran's demand to lift sanctions on the Islamic Revolutionary Guard Corps (IRGC) and guarantee that future American Presidents would abide by the deal, the negotiations became stalemated.

The Raisi regime also sought to clamp down on domestic reformers opposed to its extremist policies by tightening restrictions on political, social, and religious freedoms. It sought to strengthen internal security forces, including the infamous morality police who provoked the current wave of anti-government protests by killing Mahsa Amini, a 22-year-old woman who they detained for violating Iran's strict Islamic dress code.¹

The horrific act of brutality resonated powerfully with many Iranians as an unforgivable symbol of the regime's systematic political and social oppression and moral bankruptcy, leading to protests in more than 100 cities and towns around the country. A tidal wave of protests swept up Iranians of all ethnic backgrounds and walks of life who chanted "Woman, life, freedom!" and "Death to the dictator!" Iran's dictatorship has arrested more than 18,000 protesters and killed at least 451 people as of November 28, according to human rights activists.²

As in many previous waves of protest, the initial spontaneous demonstrations rapidly escalated into the wholesale rejection of the regime's legitimacy and unbridled hold on power. Widening cracks in the regime's base of support became apparent as bazaar merchants, an important source of political support for the 1979 revolution, closed down bazaars in major cities and announced a three-day national strike on November 15, in solidarity with the protesters.

Iran's government and protesters now are playing a cat and mouse game after more than two months of anti-government demonstrations. The protest campaign has evolved into a decentralized and leaderless mass movement because the regime hunts, jails, or kills any leaders who emerge.³ Women have played key roles in the revolt, which has been enthusiastically joined by a wide cross section of young Iranians.

The Tehran regime has tried to discredit the protesters by casting them as pawns of the regime's external enemies, particularly the United States, Israel, and Saudi Arabia. Iran's "supreme leader," Ayatollah Ali Khamenei, denounced the protests as "scattered riots" designed by the enemy.⁴ The regime also has sought to pin the blame for the protests on separatist groups, particularly those operating within Iran's restive Kurdish and Baluchi ethnic minorities. Internal security forces have been deployed extensively against both groups, as well as against Arabs in southwestern Iran. Approximately 90 percent of the estimated 224 protesters killed as of mid-October have belonged to non-Persian ethnic minority groups.⁵

In addition to denouncing protesters as "separatists," the regime has sought to target groups outside Iran as instigators of the unrest as a means of deflecting blame for its own role in provoking protests. The IRGC has launched a series of missile, drone, and artillery attacks against Iranian Kurdish groups in neighboring Iraq.⁶ Iranian officials also have threatened to attack Saudi Arabia for its alleged support of anti-government forces.⁷ Meanwhile, Tehran reportedly has deployed Arab paramilitary proxy groups from Iraq and Lebanon to help to crush the revolt at home.⁸

As the civil unrest continues, the regime's hold on power is increasingly threatened. However, it has survived similar waves of anti-regime protest in the past. In 2009, millions of Iranians flooded the streets to oppose the rigged election results that handed President Mahmoud Ahmadinejad a second term in office. But the civil unrest was quashed after the leaders of the revolt, known then as the Green Movement, were arrested and muzzled. Former President Barack Obama recently admitted that his failure to publicly affirm U.S. support for the protesters was "a mistake."⁹

The current revolt is unlikely to evolve into a successful revolution as long as key internal security forces—particularly the IRGC and its Basij paramilitary branch—remain united and willing to ruthlessly shoot protesters, who lack organizational unity and national leadership. Iran’s oil workers, who played a key role in the 1979 revolution, also have not yet been fully mobilized to support the protesters. But the increasingly frequent eruption of numerous protests in recent years over harsh political, religious, and social restrictions, and economic hardship, corruption, repression, water shortages, and labor disputes, are dangerous signs that the regime’s narrow base of support continues to erode. Each wave of civil opposition, provoked by regime policies, has stripped the government of another layer of legitimacy.

President Raisi was known as one of the regime’s most brutal enforcers while rising through the ranks to head Iran’s Islamic judiciary. He has no answer for resolving festering grievances, except for more heavy-handed repression. If his administration survives this round of protests, it inevitably will be confronted with other rebellions. By blocking reforms and rigging elections, Iran’s rulers have pushed Iran’s long-suffering people into the streets to demand a counterrevolution.

Nuclear Bad News

Tehran has made steady progress in developing its nuclear enterprise, putting it closer to testing or fielding a nuclear weapon—if it chooses to do so. According to one assessment, Iran’s “breakout time”—the time needed to produce enough fissile material for a nuclear weapon—is now effectively “zero.”¹⁰ Iran now has enough enriched uranium to fashion a nuclear explosive.

Indeed, even the Biden Administration publicly expressed concern: In June 2022, U.S. Secretary of State Antony Blinken told Congress: “[Iran’s nuclear] program is galloping forward.... The longer this goes on, the more the breakout time gets down...it’s now down, by public reports, to a few months at best. And if this continues, it will get down to a matter of weeks.”¹¹

This frank statement from the Secretary of State is supported by evidence gathered by the IAEA—the U.N.’s nuclear watchdog— which detailed Tehran’s violations of a number of provisions of the JCPOA, including:¹²

- **Uranium enrichment.** Iran has increased uranium enrichment levels beyond the 3.67 percent low enriched uranium allowed under the JCPOA to 60 percent highly enriched uranium. Iran has claimed that it is capable of enriching uranium to 90 percent weapons-grade

uranium.¹³ According to a June 2022 analysis, Iran now “has enough 60 percent enriched uranium or highly enriched uranium (HEU) to be assured it could fashion a nuclear explosive.”¹⁴

- **Uranium stockpiles.** Iran has increased the amount of enriched uranium in its fissile material stockpiles, which now vastly exceeds JCPOA limitations. A recent estimate assesses that in six months, Iran could amass enough enriched uranium for five nuclear weapons.¹⁵
- **Advanced centrifuges.** Iran is involved in the development, manufacture, and operation of advanced centrifuges, including the IR-2, IR-4, and IR-6, beyond the IR-1 centrifuges initially allowed under the JCPOA.¹⁶ Moreover, the total number of installed centrifuges exceed the number permitted by the JCPOA.¹⁷ By expanding the quantity and capabilities of its centrifuge cascades, Iran reduces the time needed to produce a nuclear weapon.

Beyond Iran’s JCPOA violations, the IAEA asserts that Iran has failed to abide by its safeguard commitments as a signatory to the Nuclear Nonproliferation Treaty. As a result, in September, the IAEA stated that is “not in a position to provide assurance that Iran’s nuclear program is exclusively peaceful.”¹⁸ In its most recent quarterly report, the IAEA warned that it was unable to verify the exact size of Iran’s stockpile of enriched uranium due to limitations that Tehran imposed on U.N. inspectors last year and the removal of the agency’s monitoring and surveillance equipment at sites in Iran in June.¹⁹

Menacing Missile Moves

It is unclear how far Iran is from fashioning a nuclear warhead for a ballistic missile. One troubling assessment published in June 2022 judged that Iran could “deploy nuclear weapons on ballistic missiles in a year or two.”²⁰ This estimate could certainly be achieved if Iran were to receive outside technical assistance, such as from Russia.

Iran has invested significantly in its missile programs and now has the largest missile arsenal in the Middle East. Iran’s ballistic missiles are already capable of striking the entirety of the region and southeastern Europe. Western intelligence officials assess that Iran may be in the process of transferring surface-to-surface missiles to Russia for use in Ukraine, in addition to the hundreds of armed drones it already has transferred to Russia’s armed forces.²¹

Tehran is also developing missiles with longer ranges under cover of its space program. In November, in defiance of U.N. Security Council Resolution 2231, the IRGC tested a space-launch vehicle which Tehran claims is for the purpose of eventually putting civilian satellites into orbit.²²

Iran's space program serves as a convenient, but plausible, cover for an intercontinental ballistic missile (ICBM) program that could one day hit distant targets—including the U.S. homeland.

Time for a Realistic Iran Policy

Even if renewed negotiations yield another nuclear agreement, which looks increasingly unlikely, it will not be the “longer and stronger” agreement the Biden Administration promised,²³ but instead a “shorter and weaker” one that will not address the JCPOA's shortcomings, such as its “sunset provisions,” verification regime, and failure to capture Iran's burgeoning ballistic missile program.²⁴

The Biden Administration appears to be committed to a dangerously incoherent Iran policy. The wave of protests against Iran's Islamic dictatorship has exposed once again the unscrupulous nature of a cold-blooded regime that murders its own people and lies about it.

Yet the Biden Administration chooses to believe that the regime will adhere to promises on nuclear proliferation issues that it repeatedly has broken in the past. Succumbing to wishful thinking, the Administration remains committed to negotiating an illusory nuclear deal that would grant Tehran up to \$275 billion in financial benefits during its first year in effect, and \$1 trillion by 2030.²⁵ This huge financial infusion would reward Tehran for temporary limits on uranium enrichment that might at best delay, but not halt, Iran's nuclear weapons ambitions.

Yet the Biden Administration has made it clear it is still eager to press ahead with nuclear negotiations despite Tehran's ongoing repression and human rights abuses. Even worse, it has ignored glaring signs of Tehran's bad faith: assassination threats against former U.S. officials,²⁶ multiple proxy attacks against U.S. troops in the Middle East,²⁷ and foiled attempts to kidnap or kill Iranian-American journalist Masih Alinejad in New York City.²⁸

The Biden Administration must respond much more strongly to Iran's threats, provocations, and attacks. It is long past time for it to get tough on Iran's outlaw regime and to protect and advance U.S. interests. The Administration must shore up its diplomatic demands by fully using all the tools of national power, including punitive economic sanctions and the threat of military force, if necessary, to prevent Iran from attaining a nuclear weapons capability.

The Administration needs a more realistic and proactive approach to defeat Iran's nuclear, regional, international, and terrorist challenges and hold the regime accountable for its human rights abuses. It must compel Iran's regime to pay a much higher price for those actions, or Tehran will continue to act with impunity.

To address Iran's intensifying nuclear and regional challenges, the United States should:

Abandon Appeasement and Bolster Deterrence to Prevent Iran from Acquiring a Nuclear Weapon. President Biden should halt efforts to revive the increasingly irrelevant JCPOA and stop counterproductive efforts to bribe Tehran with sanctions relief that it will use to boost its multifaceted threats to the United States and its allies. He should declare that Iran will receive sanctions relief only when it verifiably ends its violations of its nuclear nonproliferation commitments and agrees to permanent, fully verifiable restrictions on its nuclear program that do not expire at arbitrary dates. If Tehran rejects negotiations, President Biden should declare that the United States will use military force, if necessary, alongside allies and partners to prevent Iran from acquiring nuclear weapons.

Sanctions alone are not likely to halt Iran's nuclear program any more than they halted North Korea's nuclear program. Even Ambassador Dennis Ross, a former Obama Administration official who advocated for the JCPOA, admits that only the credible threat of the use of force would stop the regime: "So long as Iran doubts that the United States will use force against them or their nuclear infrastructure, there is little prospect of a diplomatic outcome that truly affects where its nuclear program is ultimately headed."²⁹

The United States should also boost Israeli deterrence and military capabilities by selling it the arms and equipment that would enable it to destroy Iran's nuclear infrastructure, some of which is buried deep underground in fortified facilities. Washington should accelerate the sales of aerial refueling tankers, precision-guided munitions, and bunker-buster bombs capable of destroying Iran's fortified underground nuclear facilities and missile bases.

The Pentagon should also expand its prepositioned military stockpiles in Israel that could be transferred to Israel's armed services in a crisis, to upgrade the readiness and deterrence power of both countries. Washington should also fortify intelligence sharing, intensify joint military planning, and conduct joint military exercises with Israel.

Ramp Up Sanctions on Iran. The Biden Administration relaxed its enforcement of sanctions in a misguided effort to coax Tehran back into the flawed JCPOA, failing to stem the smuggling of illicit Iranian oil exports to China, Iran's biggest customer. Washington should crack down on and

penalize Chinese firms buying the illicit oil, as well as the oil-smuggling networks that facilitate Iran's sanction-busting efforts. Oil tankers involved in Iran's smuggling operations should be confiscated along with their cargoes. The U.S. should sell the smuggled oil, with the revenue returned to the Iranian people through funds created for striking workers and protesters.³⁰ In this manner, enforcing sanctions could also promote freedom inside Iran.

To enable the vigorous enforcement of sanctions, the White House should order: (1) the intelligence community to prioritize intelligence-gathering on Iran's methods to circumvent economic sanctions, and (2) the State and Treasury Departments to update their lists of Iran's front companies and foreign enablers of sanctions-busting more frequently, and (3) to share them with appropriate foreign governments to enhance enforcement.

The U.S. should especially target the IRGC for additional sanctions, not only for terrorism, but for its involvement in regional proxy attacks, orchestration of assassination attempts against former U.S. officials, attacks on Iranian dissidents around the world, and human rights abuses, particularly those inflicted in the current crackdown.

Work with European Allies to “Snap Back” U.N. Sanctions on Iran.

Although the U.S. is no longer considered a JCPOA participant, France, Germany, and the United Kingdom remain participants, and they can trigger the automatic reimposition of multilateral U.N. sanctions on Iran under the agreement. Once the measure is triggered by one or more JCPOA participants alleging that Iran has violated the agreement, Iran's relief from U.N. sanctions would automatically expire within 30 days unless the Security Council passes a resolution to continue it. The U.S. or any other permanent member of the Security Council could veto that resolution, making snapback difficult to stop except by the party that triggered it. By invoking the snapback option, the European allies would force Tehran to pay a higher price for violating its nonproliferation commitments under its nuclear safeguards agreement, as well as the JCPOA. Otherwise, more U.N. sanctions are scheduled to expire over time according to the JCPOA, including the U.N. embargo on Iranian ballistic missile sales, which expires in 2023, and the snapback option itself, which expires in 2025.

Collaborate with Allies and Partners to Establish a Highly Favorable Regional Military Balance of Power, Especially in Air and Missiles Defenses. Iran's clerical regime seldom makes meaningful concessions unless it is firmly confronted by adversaries that it fears will threaten its grip on power. The regime's decision to reorganize and scale back its nuclear program after 2003 was, undoubtedly, influenced by the U.S. interventions in neighboring Afghanistan and Iraq.³¹

The Biden Administration needs to focus more on disincentivizing, rather than incentivizing, Iranian actions if it wants to protect American national interests from Iranian threats. Like many authoritarian regimes, Tehran understands power. Because U.S. military forces are already stretched thin in meeting global security commitments, Washington must work closely with regional allies and partners to deter Tehran.

The White House should direct the Pentagon to help to enhance the security of regional allies and partners, particularly Bahrain, Israel, Saudi Arabia, and the United Arab Emirates, which face the most severe threats from Iran and its terrorist surrogates. Through arms sales, the United States should help them to bolster their defenses against Iranian ballistic and cruise missiles, rockets, and armed drones, with the goal of eventually building an integrated air defense system that also would enhance the security of U.S. forces in the region.

In addition to selling more air and missile defense systems to Arab partners, Washington should also encourage Israel to consider selling some of its own air and missile defense systems to Arab countries that have normalized relations with Israel under the Abraham Accords: namely, Bahrain and the United Arab Emirates.

Expand the Abraham Accords to Strengthen Regional Cooperation Against Iran. The Trump Administration brokered the 2020 Abraham Accords that normalized bilateral relations between Israel and Bahrain and Israel and the United Arab Emirates. Morocco and Sudan later signed similar agreements to normalize relations with Israel. Rather than downplaying the accords for political reasons, the Biden Administration should strongly support the expansion of the accords to include Saudi Arabia and other Arab states threatened by Iran. Expanding this diplomatic framework would clear the way for greater Arab–Israeli security cooperation in a regional partnership to deter and, if necessary, defeat Iranian direct and indirect proxy threats. Greater regional security cooperation would help to protect and advance U.S. interests as well as enhance the security of U.S. troops deployed in the region.

Promote Freedom for Iran’s People. The Biden Administration has made symbolic gestures to condemn Tehran’s crackdown and express support for Iran’s long-suffering people. While this is a step in the right direction, it is not nearly enough. The most important help that the United States could give Iranians risking their lives in antigovernment protests is to rule out siding with their oppressors. The U.S. should rule out enriching the Islamic regime with billions of dollars of frozen assets and sanctions relief that would be used to finance totalitarian repression against Iranians and escalating threats to Americans.

Developing an overt and covert information campaign, the U.S. should help to inform Iranians about how most of their economic problems stem from their rulers' misguided priorities and aggressive foreign policy, which triggered extensive international sanctions. Washington should further expose and publicize the corruption, wealth, and hypocrisy of Iran's leaders and disseminate information about the billions of dollars the regime has lavished on its terrorist network and military and international adventurism in Syria and Yemen, which have diverted resources from Iranians at home.

Washington also should help Iranians to defeat the regime's censorship of social media by granting licenses for exports of technology that would help them to communicate with each other and the outside world. Such actions can drive up the long-term domestic costs and political risks that the regime must bear for continuing on its present course. But Washington cannot orchestrate regime change in Iran; it can only help to shape conditions that would make it more likely to happen.³²

Conclusion: Boost Iran's People, Not the Regime

After the Biden Administration's failed nuclear diplomacy, Washington should return to a more effective strategy to counter the regime's brutal repression, prevent a nuclear breakout, and punish Iran's proxy attacks against U.S. interests. If it remains narrowly fixated on restoring the illusory nuclear deal, the Biden Administration will pave the way for the world's foremost state sponsor of terrorism to acquire the world's most terrifying weapon.

Iran's ruthless rulers and their partners in Russia and China would be the biggest winners of another nuclear deal. Tehran would reap billions of dollars that it could spend on arms and nuclear technology from Russia and China. The biggest losers would be Iran's people. Now is the time for the United States to rule out rewarding Tehran with sanctions relief until Iran halts its hostile acts and focus on deterring, containing, and defeating Tehran's multiple threats.

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