

MEMMO

August 14, 2015

The Better Alternative to the JCPOA

Advocates of the nuclear deal with Iran have variously argued that rejecting it will lead to war, prompt an Iranian nuclear “breakout,” crumble the sanctions regime, and even threaten the role of the U.S. dollar. They also claim that there is “no viable alternative” to the Joint Comprehensive Plan of Action (JCPOA). However, none of these points are true.

Instead, what is true is that implementing the JCPOA will legitimize Iran’s illicit nuclear program, pave its pathway as a threshold nuclear weapons state, and immediately dismantle most of the international sanctions regime. By contrast, rejecting this deal will avoid locking the United States into its negative consequences, while providing Iran with far fewer resources to instigate regional instability and conflict.

If Congress disapproves the JCPOA, the best and most realistic alternative is to revive the policy that first brought about negotiations—a combination of tough diplomacy and crippling sanctions. This time around we must not settle for merely delaying “breakout” time, but forge a deal that truly stops all of Iran’s pathways to a bomb.

Without This Deal: Precedence of Congressional Action and Better Outcomes

If Congress rejects this deal, the international community will face a new reality, one with ample precedent. Congress has insisted on improvements to over 200 agreements negotiated by the executive branch—which it then, despite dire predictions, renegotiated to achieve better deals. For example, in the 1970s, the Senate did not approve two major arms control agreements with the Soviet Union. Instead, it demanded more from the Soviets. Despite that administration’s protests that renegotiation was impossible, the executive branch returned to the table and secured a better deal. For the past two years of talks with Iran, Congress and the administration have publicly enunciated essential requirements that have not been met; rejecting the JCPOA and pressing for a better deal will be important for America’s negotiating credibility in the long term.

Without This Deal: Ample Time to Act

If Congress rejects the deal, the administration will have months to decide its next steps. Even during today’s bitter debate over the fate of JCPOA, there are indications that some American allies are ready to keep the pressure on Iran and return to talks. In any case, all sanctions on Iran will remain in place for the next 6-to-12 months—the projected time until the International Atomic Energy Agency (IAEA) issues the required report that Iran has met its initial nuclear obligations. Even if Congress rejects the JCPOA, Iran remains bound by the nuclear restrictions and inspections required by the Nuclear Nonproliferation Treaty, to which Iran is a party. Iran is unlikely to pursue war or a “breakout” if the United States fails to grant sanctions relief—knowing such actions would subject Tehran to further sanctions, and potentially lead to the destruction of its expensive nuclear infrastructure.

Without This Deal: U.S. Sanctions Remain Effective

If Congress rejects the deal, U.S. law mandates the continuation of tough unilateral sanctions. Those considering large-scale investments in Iran’s energy sector—by far its most important—will likely be deterred by the prospect of U.S. penalties. And if Iran walks away from the deal, it will continue to face international sanctions as well.

Without This Deal: The Role of American Leadership

The impact of crippling sanctions and assertive American global leadership brought Iran to the negotiating table. With clear objectives, American leadership, and sustained pressure, we can persuade Iran to accept a deal that truly closes all of its pathways to a nuclear weapon.

Summary

Congressional rejection of the JCPOA will not lead to war, a rapid Iranian “breakout,” or a breakdown of effective sanctions. Instead, there is a viable alternative that avoids the deal’s dangerous consequences and affords us a realistic opportunity to negotiate a better deal. Over time, continued U.S. sanctions and leadership will lead to a renewed partnership with allies, the resumption of diplomatic negotiations with Iran and ultimately, a far better deal.



251 H Street, NW
Washington, DC 20001

T 202-639-5200
F 202-639-0630

www.aipac.org