

KEY ISSUES WITH CASEY/LIEBERMAN/GRAHAM RESOLUTION ON IRAN



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Key Issues with Casey/Lieberman/Graham Resolution on Iran

There are a number of issues in the proposed Casey/Lieberman/Graham resolution on Iran that should be addressed. This document provides specific language fixes:

As drafted, the resolution confuses U.S. “red lines” and significantly lowers the threshold for going to war. The Secretary of Defense stated in January 2012 that an Iranian attempt to actually build a nuclear weapon is the United States’ “red line” that Iran must not cross. But this resolution does not reflect or reinforce the “red line” articulated by the United States – it further confuses them. As currently drafted, the resolution blurs the critical distinction between nuclear weapons *capability* and nuclear weapons *acquisition*. Nuclear *capable* is an imprecise term with no clear definition. By some accounts, Iran could already be described as “nuclear capable,” as Iran already has the capability and expertise to build a nuclear weapon. It should continue to be the goal of the U.S. and international community to use all non-military means at our disposal to put concrete constraints on Iran’s nuclear *capabilities*, with the ultimate objective of ensuring Iran does not actually *acquire* a nuclear weapon.

As drafted, the resolution sets conditions for going to war without stating that it is not an authorization of force. Given the unambiguous statement ruling out containing a nuclear-capable Iran, this resolution could be construed by this President or a future President as an authorization of force for launching military action against Iran that would have devastating consequences. At the absolute minimum, the resolution should contain a statement making clear that the resolution is not an authorization of force, and does not provide a legal authority for the President to initiate war against Iran.

As drafted, the resolution takes options off the table for preventing Iran from acquiring nuclear weapons. The President and Secretary of Defense have repeatedly said “no option” is off the table for preventing Iran from acquiring nuclear weapons. However, this resolution would take one option – containing an Iran that is weapons-capable but has not acquired a weapon – off the table. Given the presence of international nuclear inspectors on the ground in Iran and statements from DNI Clapper that the United States has very good intelligence on Iran’s nuclear program, even a nuclear-weapons capable Iran would be unable to build a nuclear weapon undetected. In other words, the United States has the power to contain a nuclear-weapons capable Iran, including by preventing Iran from building a nuclear device.

We strongly urge Senators to insist on three main changes before considering cosponsorship:

1. Clarify red lines to reinforce what the President, the Secretary of Defense, and other U.S. officials have clearly stated: Iranian *acquisition* of a nuclear weapon is unacceptable. As drafted, this resolution’s findings support the stated U.S. red line of *acquisition*, but the resolved clauses state that the red line is *capability*.
2. The resolution should explicitly state: this is not an authorization for military force.
3. Inaccuracies, partisan language, and key omissions in the resolution should be addressed.

Proposed Fixes to the Casey/Lieberman/Graham Resolution on Iran

Section	Original Text	Proposed Amendment	Explanation
Findings	Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Iranian government and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;	<i>Strike: “and sustained.”</i>	This is inaccurate. The UN Security Council Resolutions on Iran do not quantify or describe the duration for which Iran should suspend enrichment activities.
Findings	Whereas as of November 2008, Iran had produced approximately 630 kilograms of uranium-235 enriched to 3.5 percent and no uranium-235 enriched to 20 percent, according to the IAEA; Whereas as of November 2011, Iran had produced nearly 5,000 kilograms of uranium-235 enriched to 3.5 percent and 79.7 kilograms of uranium-235 enriched to 20 percent, according to the IAEA;	<i>Strike text.</i>	The timeframe described herein is inappropriately partisan, taking note of Iran’s nuclear advances only since the election of President Obama, despite the fact that the majority of Iran’s nuclear program (centrifuges, etc) was actually installed under previous administrations. This appears to be an unfair attempt to blame President Obama for advances Iran set into motion before he became President.
Findings	Whereas top Iranian leaders have repeatedly threatened the existence of the State of Israel, pledging to "wipe Israel off the map";	<i>Replace with:</i> Whereas top Iranian leaders have repeatedly threatened the State of Israel;	The Washington Post’s Fact Checker , among others, has called into question the translation of remarks by Iran’s Mahmoud Ahmadinejad that have been interpreted as a pledge to wipe Israel off the map.

Section	Original Text	Proposed Amendment	Explanation
Findings	New text	<p><i>Add after the finding regarding the President’s State of the Union Address:</i></p> <p>Whereas in his State of the Union Address on January 24, 2012, President Obama stated: “But a peaceful resolution of this issue is still possible, and far better, and if Iran changes course and meets its obligations, it can rejoin the community of nations;”</p>	<p>Omitting any mention of diplomacy, including the second sentence from President Obama’s State of the Union Address regarding the desirability of a diplomatic solution, sends the wrong signal that the United States Congress is not interested in a peaceful solution to the conflict with Iran.</p>
Resolved	(1) Affirms that it is a vital national interest of the United States to prevent the government of the Islamic Republic of Iran from acquiring a nuclear weapons capability ;	<p><i>Replace with:</i></p> <p>(1) Affirms that it is a vital national interest of the United States to prevent the government of the Islamic Republic of Iran from acquiring nuclear weapons;</p>	<p>Unmodified, the resolution confuses U.S. “red lines” and significantly lowers the threshold for going to war. The Secretary of Defense stated in January 2012 that an Iranian attempt to actually build a nuclear weapon is the United States’ “red line” that Iran must not cross. But this resolution does not reflect or reinforce the “red line” articulated by the United States – it further confuses them. As currently drafted, the resolution blurs the critical distinction between nuclear weapons <i>capability</i> and nuclear weapons <i>acquisition</i>. Nuclear <i>capable</i> is an imprecise term with no clear definition. By some accounts, Iran could already be described as “nuclear capable,” as Iran already has the capability and expertise to build a nuclear weapon. It should continue to be the goal of the U.S and international community to use all non-military means at our disposal to put concrete constraints on Iran’s nuclear <i>capabilities</i>, with the ultimate objective of ensuring Iran does not actually <i>acquire</i> a nuclear weapon.</p>

Section	Original Text	Proposed Amendment	Explanation
Resolved	(2) Affirms that it is within the power and capabilities of the United States Government to prevent the government of the Islamic Republic of Iran from acquiring a nuclear weapons capability ;	<p><i>Replace with:</i></p> <p>(2) Affirms that it is within the power and capabilities of the United States Government to prevent the government of the Islamic Republic of Iran from acquiring nuclear weapons;</p>	<p>Unmodified, the resolution confuses U.S. “red lines” and significantly lowers the threshold for going to war. The Secretary of Defense stated in January 2012 that an Iranian attempt to actually build a nuclear weapon is the United States’ “red line” that Iran must not cross. But this resolution does not reflect or reinforce the “red line” articulated by the United States – it further confuses them. As currently drafted, the resolution blurs the critical distinction between nuclear weapons <i>capability</i> and nuclear weapons <i>acquisition</i>. Nuclear <i>capable</i> is an imprecise term with no clear definition. By some accounts, Iran could already be described as “nuclear capable,” as Iran already has the capability and expertise to build a nuclear weapon. It should continue to be the goal of the U.S and international community to use all non-military means at our disposal to put concrete constraints on Iran’s nuclear <i>capabilities</i>, with the ultimate objective of ensuring Iran does not actually <i>acquire</i> a nuclear weapon.</p>

<p>Resolved</p>	<p>(3) Urges continued and increasing economic and diplomatic pressure on the Islamic Republic of Iran for the purposes of achieving an agreement from the Government of the Islamic Republic of Iran that includes the full and sustained suspension of all uranium enrichment-related and reprocessing activities, complete cooperation with the IAEA on all outstanding questions related to Iran’s nuclear activities, including implementation of the NPT Additional Protocol, and the verified end of Iran’s ballistic missile programs”;</p>	<p><i>Replace with:</i></p> <p>(3) Urges continued and increasing economic and diplomatic pressure on the Islamic Republic of Iran for the purposes of achieving an agreement from the Government of the Islamic Republic of Iran that includes the full suspension of all uranium enrichment-related and reprocessing activities, complete cooperation with the IAEA on all outstanding questions related to Iran’s nuclear activities, including implementation of the NPT Additional Protocol, and the verified end of all research and development related to ballistic missiles capable of delivering nuclear weapons;</p>	<p>The UN Security Council has called for “constraining” the development of Iran’s missile technology - not ending it. In particular, the Security Council has implemented sanctions against “technology related to ballistic missiles capable of delivering nuclear weapons.”</p> <p>However desirable the cessation of Iran’s ballistic missile program would be, the United States should not compromise the critical objective of preventing Iran from acquiring ballistic missiles capable of delivering nuclear weapons by refusing to accept a deal that would allow Iran to maintain its conventional missile program within the limitations called for by the UN Security Council.</p> <p>In addition, as previously mentioned, the UN Security Council Resolutions on Iran do not quantify or describe the duration for which Iran should suspend enrichment activities.</p>
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Section	Original Text	Proposed Amendment	Explanation
Resolved	(5) Strongly rejects any policy that fails to prevent the Iranian government from acquiring a nuclear weapons capability and that instead would settle for future efforts to "contain" a nuclear weapons capable Iran;	<p><i>Replace with:</i></p> <p>(5) Strongly rejects any policy that fails to prevent the Iranian government from acquiring nuclear weapons and that instead would settle for future efforts to "contain" a nuclear weapons-armed Iran;</p>	<p>Unmodified, the resolution confuses U.S. “red lines” and significantly lowers the threshold for going to war. The Secretary of Defense stated in January 2012 that an Iranian attempt to actually build a nuclear weapon is the United States’ “red line” that Iran must not cross. But this resolution does not reflect or reinforce the “red line” articulated by the United States – it further confuses them. As currently drafted, the resolution blurs the critical distinction between nuclear weapons <i>capability</i> and nuclear weapons <i>acquisition</i>. Nuclear <i>capable</i> is an imprecise term with no clear definition. By some accounts, Iran could already be described as “nuclear capable,” as Iran already has the capability and expertise to build a nuclear weapon. It should continue to be the goal of the U.S and international community to use all non-military means at our disposal to put concrete constraints on Iran’s nuclear <i>capabilities</i>, with the ultimate objective of ensuring Iran does not actually <i>acquire</i> a nuclear weapon.</p>
Resolved	(6) Urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons <i>capability</i> and to oppose any policy that would rely on containment as an option in response to the Iranian nuclear threat.	<p><i>Replace with:</i></p> <p>(6) Urges the President to reaffirm the unacceptability of an Iran with nuclear weapons;</p>	<p>In addition to confusing U.S. “red lines” and significantly lowering the threshold for going to war, the second half of this statement is ambiguous and risks unhelpful interpretations.</p>

Section	Original Text	Proposed Amendment	Explanation
Resolved	New Text	(7) Supports diplomacy with Iran in order to prevent Iran from pursuing nuclear weapons, implement concrete transparency and verification mechanisms that resolve international concerns regarding Iran’s nuclear program, increase regional stability, support human rights in Iran, and prevent war and pursue other areas of mutual interest;	<p>President Obama said on February 6, “My goal is to try to resolve this diplomatically, mainly because the only way, over the long term, we can assure Iran doesn’t get a nuclear weapon is by getting them to understand it’s not in their interest.”</p> <p>The President's remarks reflect the reality that neither economic sanctions nor military strikes, short of a U.S. invasion and occupation of Iran, could prevent Iran from building nuclear weapons if it were absolutely determined to do so. The former Vice Chairman of the Joint Chiefs of Staff also reflected this reality in Senate testimony in April 2010.</p> <p>This clause recognizes the critical importance of diplomacy in this regard and makes clear that the United States will use every tool at its disposal, including diplomacy, to pursue its interests.</p>
Resolved	New Text	(8) Nothing in this resolution shall be construed as an authorization of the use of force against Iran.	<p>The resolution sets conditions for going to war without stating that it is not an authorization of force. Given the unambiguous statement ruling out containing a nuclear-capable Iran, this resolution could be construed by this President or a future President as an authorization of force for launching military action against Iran that would have devastating consequences. At the very least, the resolution should contain a statement making clear that the resolution is not an authorization of force, and does not provide a legal authority for the President to initiate war against Iran.</p>