

Future Risks of an Iran Nuclear Deal

By **DAVID E. SANGER** and **MICHAEL R. GORDON** AUG. 23, 2015

WASHINGTON — As President Obama begins his three-week push to win approval of the Iran nuclear deal, he is confronting this political reality: His strongest argument in favor of passage has also become his greatest vulnerability.

Mr. Obama has been pressing the case that the sharp limits on how much nuclear fuel Iran can hold, how many centrifuges it can spin and what kind of technology it can acquire would make it extraordinarily difficult for Iran to race for the bomb over the next 15 years.

His problem is that most of the significant constraints on Tehran's program lapse after 15 years — and, after that, Iran is free to produce uranium on an industrial scale.

“The chief reservation I have about the agreement is the fact that in 15 years they have a highly modern and internationally legitimized enrichment capability,” said Representative Adam B. Schiff, a California Democrat who supports the accord. “And that is a bitter pill to swallow.”

Even some of the most enthusiastic backers of the agreement, reached by six world powers with Iran, say they fear Mr. Obama has oversold some of the accord's virtues as he asserts that it would “block” all pathways to a nuclear weapon.

A more accurate description is that the agreement is likely to delay Iran's program for a decade and a half — just as sanctions and sabotage have slowed Iran in recent years. The administration's case essentially is that the benefits over the next 15 years overwhelmingly justify the longer-term risks of what comes after.

“Of course there are risks, and they have to be acknowledged,” said R. Nicholas Burns, who was undersecretary of state in the George W. Bush administration and has testified before Congress in favor of the deal. Mr. Obama's “most convincing argument,” he added, “is that there is no better alternative out there.”

In making the administration's case, Mr. Obama can underscore that economic sanctions on Iran begin to lift only as it reduces its current stockpile of low enriched uranium, to 300 kilograms, or 660 pounds. That is not enough to make a single nuclear weapon, and is a 98 percent reduction in its current stockpile of nearly 12 tons.

The accord also calls for regular inspections at Iran's nuclear installations and includes arrangements to reimpose international sanctions if the Iranians are caught cheating.

But the flip side is that after 15 years, Iran would be allowed to produce reactor-grade fuel on an industrial scale using far more advanced centrifuges. That may mean that the warning time if Iran decided to race for a bomb would shrink to weeks, according to a recent Brookings Institution analysis by Robert J. Einhorn, a former member of the American negotiating team.

Critics say that by that time, Iran's economy would be stronger, as would its ability to withstand economic sanctions, and its nuclear installations probably would be better protected by air defense systems, which Iran is expected to buy from Russia.

Some members of Congress and other experts are urging the

administration to take fresh steps to deter Iran from edging dangerously close to a nuclear weapons capability after the main limits in the agreement expire.

“I believe it buys 15 years for real,” said Dennis B. Ross, who served as a White House adviser on Iran during Mr. Obama’s first term and has yet to decide if he will back the accord. “But I do see vulnerabilities that I feel must be addressed. The gap between threshold and weapons status after year 15 is small.”

A Loss of Leverage

The duration of the agreement is the most important and complex issue. Under restrictions imposed by the accord, Iran would need a full year to produce enough nuclear material for a bomb; currently that timeline is two or three months, according to American intelligence agencies. But starting at year 10, that “breakout time” would begin to shrink again, as Iran gets more centrifuges into operation.

Administration officials argue that it would be obvious if Iran made weapons-grade fuel, and negotiators secured a permanent ban on the metallurgy needed to turn the fuel into a bomb.

Supporters of the agreement are betting that improved intelligence would deter Iran from racing for a bomb. Under the agreement, inspectors will be able to monitor the production of rotors and other centrifuge components for up to 20 years and can monitor Iran’s stocks of uranium ore concentrate for 25 years.

Skeptics counter that, after 15 years, the United States would lose much of its leverage to stop a program. So Mr. Obama is trying to assure Congress that he and his successors will create that leverage.

In a letter last week to Representative Jerrold Nadler, a Democrat from New York, Mr. Obama detailed the expanded military support he has offered

Israel and reaffirmed that the United States retains the option to use economic sanctions and even military force should Iran break out of its agreement.

But Mr. Obama's letter was mostly a repackaging of previous assurances made to lawmakers, to Israel and to diplomats from Arab nations by the Persian Gulf.

Some backers of the agreement are urging the White House and Congress to do more. Mr. Schiff and Mr. Ross suggested in interviews that the United States should put Iran on notice that its production of highly enriched uranium after the main provisions of the accord expire would be taken by American officials as an indication that Iran has decided to pursue nuclear weapons — and could trigger an American military strike.

And both said the United States should also be prepared to provide bunker-busting bombs to Israel to deter Iran from trying to shield illicit nuclear work underground. Others have called for a long-term congressional “authorization to use military force” if Iran violated the accord.

Mr. Ross has also urged the White House to specify the penalties for smaller violations of the accord, an idea Mr. Obama rejected in his letter, saying he wanted to maintain “flexibility” to decide what responses might be needed.

Energy Secretary Ernest J. Moniz told a House committee last month that any attempt by Iran to produce highly enriched uranium “at any time must earn a sharp response by all necessary means.”

But some experts like Mr. Einhorn say that this warning should be conveyed directly, if privately, to Iran and that the United States should also increase intelligence sharing with the world's nuclear inspector, the International Atomic Energy Agency, about possible Iranian cheating.

“The way to address challenges not covered by the agreement is to

supplement it, not renegotiate it,” Mr. Einhorn said.

Accounting for the Past

One of the trickier issues for Mr. Obama, and for Congress, is how to assess whether Iran has truly come clean about its past nuclear activities, an enormously sensitive issue for the Iranians. And in the end, it is one that Secretary of State John Kerry decided not to press too hard during negotiations, for fear it would undermine the chances of getting stronger inspections for current and future activity.

The job of assessing past activities is up to the I.A.E.A. It must certify on Oct. 15 that Iran is complying with a “road map” for cooperation and report in December on the agency’s conclusions — especially about Iran’s alleged work developing nuclear triggers and designing warheads.

Critics of the accord note that Mr. Kerry and his chief negotiator, Wendy R. Sherman, said repeatedly that Iran must provide access to “people, places and documents” that would resolve those questions, something Iran has refused to do for years. But the I.A.E.A. has never publicly specified what it is asking, or whom it must meet.

Mr. Einhorn, in his analysis, concluded that “a full and honest disclosure by Iran of its past weaponization activities — which would contradict Tehran’s narrative of an exclusively peaceful program as well the supreme leader’s fatwa that Islam forbids nuclear weapons — was never in the cards.”

That said, he concludes, that may not be a “serious obstacle” to concluding Iran’s work has halted.

Accessing Nuclear Sites

While the accord calls for regular inspections at Iran’s nuclear sites, the enforcement is of limited duration. For example, while the I.A.E.A. can request access to all declared nuclear sites under the agreements it has with all

member states, the far more intrusive monitoring at Iran's main nuclear enrichment site at Natanz is not mandated after 15 years. At that point, Iran also would be free to carry out nuclear enrichment at other locations.

But the issue that has garnered the most attention is a "24-day" rule for resolving disputes if Iran refuses to give inspectors access to a suspicious site — another measure that expires after 15 years. (After that, inspectors can still demand to enter sites, but under the existing rules, which do not set a deadline for compliance.) Critics say that is far different from "anywhere, anytime" access — a phrase Mr. Moniz and others in the administration used a few months ago, and have come to regret.

If Iran balks at an inspection, then a commission — which includes Iran — can decide on punitive steps, including a reimposition of economic sanctions. A majority vote of the commission suffices, so even if Iran, China and Russia objected, the sanctions could go into effect.

That is the theory. In practice, reimposing sanctions could be politically challenging. Iran has warned that if sanctions are reimposed it will no longer be bound by the accord. The I.A.E.A., perhaps fearing its inspectors would be kicked out, might hesitate to start the 24-day clock.

Mr. Moniz argues that the 24-day time frame is sufficient because Iran will not be able to cover up evidence of nuclear work during that period, since traces of nuclear materials could be expected well after three weeks. But some experts say that Iran could cover up smaller-scale illicit activities, including work on the specialized high-explosives that might serve as a trigger in a nuclear bomb.

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