

Time for Plan B on Iran



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I. Executive Summary

The first step toward recovery is admitting you have a problem. For more than a year, President Joe Biden, with misguided patience and misplaced good faith, has offered Tehran mutual reentry into the 2015 Joint Comprehensive Plan of Action (JCPOA) nuclear deal, in the hopes this might lead to a “longer, stronger” agreement that prevents Iran from obtaining a nuclear weapon and addresses its other malign activity, including regional aggression and ballistic missile development. By any measure, this flawed approach has now clearly failed.

It is time for the Biden administration to acknowledge its original Iran policy cannot achieve its stated objectives and adopt a “Plan B”: an integrated strategy of comprehensive pressure on Tehran, particularly focused on strengthening the capabilities of U.S. regional partners to defend themselves.

There can be no return to the JCPOA. Even if some agreement based on the 2015 deal could be reached – an increasingly unlikely prospect given Iranian intransigence and congressional concerns – it would necessarily be shorter and weaker than the original.

There can be no return to the JCPOA. Even if some agreement based on the 2015 deal could be reached – an increasingly unlikely prospect given Iranian intransigence and congressional concerns – it would necessarily be shorter and weaker than the original. Iran’s nuclear program has advanced so significantly, particularly its mastery of more efficient centrifuges, that imposing the same nuclear restrictions as seven years ago would curb Iran’s nuclear program only half as much, and only for half as long, as the original accord.¹ Rather than being left one year from a nuclear weapon, under a new deal Iran’s “breakout time” to enrich enough fissile material for a bomb would be just six months or less. Just two years from now, even these minimal nuclear restrictions would begin to lapse, such that by 2031 the Iranian regime would enjoy a legitimized, industrial-scale enrichment program capable of producing multiple weapons’ worth of fissile material in short order.

UNFULFILLED PROMISES ON IRAN

The Biden Administration's Promises¹

vs.

Reality

Compliance for Compliance: "if Iran comes back into compliance, we would, too."



The new deal would require the United States to give Iran far greater sanctions relief than the original deal.

Longer and Stronger Deal: "we would use [a JCPOA return] as a platform ... to seek a longer and stronger agreement."



The new deal would be shorter and weaker while undermining any possibility of a follow-on agreement.

Box in Iran's Nuclear Program: "if the restrictions that the nuclear deal imposed were re-imposed on Iran, Iran's nuclear program would be put back in a box."



The new deal would leave Iran with half the breakout time and only for half as long.

Hostage Releases: "it is very hard for us to imagine getting back into the nuclear deal while four innocent Americans are being held hostage by Iran."



None of the 4 U.S. hostages Iran is holding have been released.

1. Compliance quote: Antony Blinken, January 19, 2021; Longer and Stronger quote: Antony; Blinken, January 19, 2021; Box quote: Ned Price, May 10, 2022; Hostage releases quote: Rob Malley, January 24, 2022.

Another weakness of the new deal is the even greater sanctions relief it would grant Tehran. The JCPOA infused Tehran with tens of billions of dollars, which it funneled into destabilizing the Middle East; its regional aggression nearly tripled after the original agreement – including taking American sailors hostage and repeatedly harassing U.S. naval vessels.² Reports indicate that the attempt to revive the JCPOA would provide Iran an even greater windfall, lifting not only the sanctions enumerated in the original deal but also multiple others, inevitably funding a new wave of violence.³

But Tehran refuses even this overly generous offer, demanding the United States also lift terrorism sanctions on the Islamic Revolutionary Guard Corps (IRGC) unrelated to the JCPOA. This brazen demand rightfully elicited a wave of bipartisan opposition in Congress, forcing the White House to backpedal and reject any delisting of the IRGC.⁴ As Senate Foreign Relations Committee Chairman Bob Menendez cautioned recently, "I want the administration to understand that no deal is better than a bad deal."⁵ Between Tehran's maximalist obstructionism and rising political opposition in Washington to granting Iran any further concessions, negotiations are stalemated, perhaps for good.

Yet, the administration still offers Iran an open, and lavish, hand. Despite numerous proclamations that time for a deal was running out, the White House continues to pursue fruitless diplomacy while underenforcing key U.S. sanctions. As a result, Washington has allowed Iran to increase its oil exports roughly 250 percent, and refill its coffers accordingly, since talks began last spring.⁶

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Continuing this open-ended approach only raises the potential for precisely the negative outcomes the Biden administration hopes to avoid: a nuclear Iran and widespread regional conflict. Russia’s invasion of Ukraine offers warnings of the dangers of staying the current course and useful lessons for how to proceed.

Implications of Ukraine Invasion for U.S. Policy on Iran

	Lesson	Implication
1. Nuclear Umbrella	Russia used nuclear threats to deter intervention and slow support by NATO for Ukraine.	Already on the threshold of a bomb, Iran will have even stronger incentive to continue advancing its nuclear weapons program.
2. Divided Priorities	By continuing to engage Russia in Iran negotiations while warning it against invading Ukraine, the United States diluted its messaging and pressure.	U.S. cannot expect to address Iran’s nuclear ambitions without responding to Tehran’s regional aggression.
3. Degraded Deterrence	Long line of failure to address Russian aggression, dating back to Georgia 2008, eroded U.S. and NATO deterrence in 2022.	U.S. regional drawdown and serial non-response to Iranian aggression convinces Tehran it can pursue nuclear capability and regional hegemony without real cost.
4. Insufficient Assistance	Failure to provide Ukraine robust pre-conflict assistance hurt deterrence against Russia and limited effectiveness of Ukrainian defense.	Capable and willing regional partners can better deter and deny Iranian aggression with U.S. military aid.
5. Acting Too Late	NATO arms have helped Ukraine counter Russia, but sending weapons post-conflict entails more time, risk and cost.	Ensuring U.S. partners in the Middle East can defend themselves is much easier to do before conflict starts.
6. Coordinating Sanctions	Coordinated Western sanctions have imposed real costs on Moscow, but have been insufficient to deter or stop Russian aggression on their own.	As Iranian intransigence exhausts diplomacy, the U.S. should build a broad coalition imposing strong multilateral sanctions on Iran.

Iran already sits perched on the precipice of nuclear weapons capability, its breakout time reduced to no more than a month.⁷ The pertinent lesson of Ukraine – that Russia’s nuclear saber-rattling has deterred Western nations from intervening – is likely to convince Tehran to cross the nuclear threshold sooner rather than later. It is actively moving closer to that threshold every day that the Biden administration’s unfounded hope in the JCPOA and Iran’s goodwill continues. At the same time, Iran’s rebounding oil exports, combined with high energy prices, are enabling the regime to pump more money into entrenching its regional military footprint and cementing its grip on power.

Each step Iran takes in its nuclear program, and each dollar it earns from unenforced sanctions, increases the amount of pressure the United States and its partners will have to bring to bear to get concessions from Tehran, while shrinking the amount of time left to do so. This leverage deficit is compounded by years of declining U.S. presence

and commitments in the Middle East. America's partners and the Iranian regime all harbor serious doubts about Washington's continued willingness to stop Iran's nuclear program, push back against Iranian aggression, and uphold regional stability.

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Just as U.S. statements that it would not commit troops to the defense of Ukraine and limited, intermittent military assistance created a permissive environment for Russia's eventual invasion, so, too, U.S. inaction in the Middle East – even in the face of direct Iranian attacks – is only making conflict more likely.⁸ Facing an existential threat from a nuclear Iran, Israel is likely to take military action itself to prevent such an outcome, potentially sparking a broader regional conflict with Iran and its dangerous proxies, particularly Hezbollah.⁹ Other regional actors, uncertain whether the United States will help defend them, might seek safety in their own nuclear deterrent, raising the specter of an inherently unstable regional proliferation cascade, or ask for security guarantees from America's strategic competitors Russia and China.¹⁰

With no prospects for a “longer, stronger” deal, and an Iran that is growing more dangerous with each day that negotiations remain on life support, the Biden administration now should acknowledge publicly that, thanks solely to Tehran, Plan A is dead.

Then, the administration should move – with alacrity and determination – to a Plan B to prevent a nuclear Iran and promote Middle East stability. This entails adopting a comprehensive pressure strategy against the Iranian regime, with the immediate goal of stopping and containing the further advancement of its malign activity. It is important that the United States set very clear redlines for further Iranian nuclear advancement and regional aggression as well as back them up with visible increases to U.S. military readiness in the Middle East. However, given the lack of credibility of the U.S. military option against Iran, the Biden administration should also work with regional partners – especially Israel – to boost their military capabilities and deterrent effect against Iran.

The elements of a comprehensive strategy should include:

- Making clear, both to Iran and America’s unnerved partners, that the United States is recommitting its attention and presence in the Middle East by articulating, as an overdue update to the Carter Doctrine and Reagan Corollary, a new Biden Doctrine reaffirming that the United States will use all elements of national power, including military force, to defend vital U.S. interests in the Middle East – first and foremost to prevent Iran from developing nuclear weapons and dominating the region;
- Boosting U.S. military readiness to bolster the credibility of a Biden Doctrine, including by updating contingency planning for military operations against Iran, enhancing regional force posture, conducting joint military exercises, and connecting these actions with clear strategic communications that message these activities to the region;
- Building an integrated regional defense network against the broad range of Iran threats, foremost by harnessing the unique strategic opportunity of the Abraham Accords:
 - » Officially recognizing Israel’s freedom of action to do what it believes necessary to prevent a nuclear Iran and underscoring that it is U.S. policy to provide Israel the capabilities it needs to defend itself by itself.
 - Concrete steps should ensure the swift transfer to Israel of critical military capabilities for which it already is arranging or requesting expedited procurement, including: KC-46A aerial refueling tankers; Joint Direct Attack Munitions (JDAM), GBU-39/B small diameter bombs (SDB), and other precision guided munitions (PGM); F-35I multirole aircraft, F-15 fighter aircraft, and CH-53K heavy lift and SH-60/MH-60 multi-mission helicopters; and adequate batteries of – and interceptors for – Israeli’s multi-layered air and missile defenses;
 - » Integrating Israel more fully in U.S. Central Command (CENTCOM) alongside U.S. and Arab partner forces, including possibly joint military missions in the region;
 - » Strengthening regional maritime domain awareness and cooperation, including incorporating Israel into U.S.-led naval forces operating in Middle Eastern waters;
 - » Inaugurating serious efforts to build an effective regional air and missile defense and shared early warning system, beginning with enhanced information-sharing through CENTCOM to develop a common air operating picture for the United States and its Middle East partners; and
 - » Signaling that the United States takes seriously Saudi and Emirati concerns about Iran by reimposing the foreign terrorism organization (FTO) designation against Tehran’s Houthi proxy in Yemen, appointing a high-level American ambassador

II. The JCPOA: Trying to Revive a Dead Corpse

The Biden administration entered office committed to working with Iran on a mutual return to compliance with the Obama-era nuclear deal, known as the Joint Comprehensive Plan of Action (JCPOA), to put this growing problem back “in a box.”¹¹ According to this logic, a renewed JCPOA would then form the

basis for negotiating a “longer, stronger” follow-on accord curbing Tehran’s ballistic missile programs and other forms of regional aggression.¹² After eight intense but inconclusive rounds of indirect talks since April 2021, and despite endless good faith and patience from American officials, these policy objectives are clearly unobtainable. Any attempt to return to the JCPOA will yield a shorter and weaker deal. Were the Biden administration to accede to such an agreement, a bipartisan majority of Congress clearly signaled growing and serious concerns.¹³ It is far from clear, however, that further negotiations will result in any deal at all; as far back as November 2021, Special Iran Envoy Rob Malley warned that trying to rejoin the JCPOA soon would “be tantamount to trying to revive a dead corpse.”¹⁴

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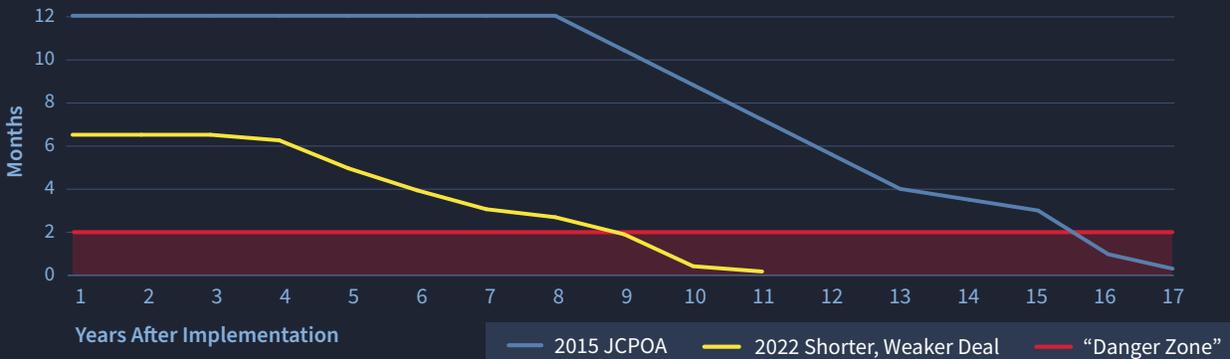
The administration’s reticence to admit this reality and pivot to a “Plan B” makes achieving its goals even less likely. It encourages Tehran to drag out talks and seek extra U.S. concessions as its nuclear program advances, while also driving increased bipartisan opposition to a deal in the United States.

A. Shorter and Weaker, Not Longer and Stronger

The administration’s fundamental intent to use diplomacy to put Iran’s nuclear program in a box is now moot. Since at least last September, Biden officials have warned repeatedly that time is running short before Tehran’s ongoing nuclear advances – which have proceeded apace despite repeated pauses in negotiations – would eliminate any benefit to the United States of reentering the JCPOA. Though officials never explained when or how this so-called “technical clock” expires, it already has been nearly a year since they began reiterating that mere “weeks” and even just “days” remained to reach a deal that still would substantively roll back Iran’s nuclear progress.¹⁵

NEW DEAL HALVES IRAN'S BREAKOUT TIME

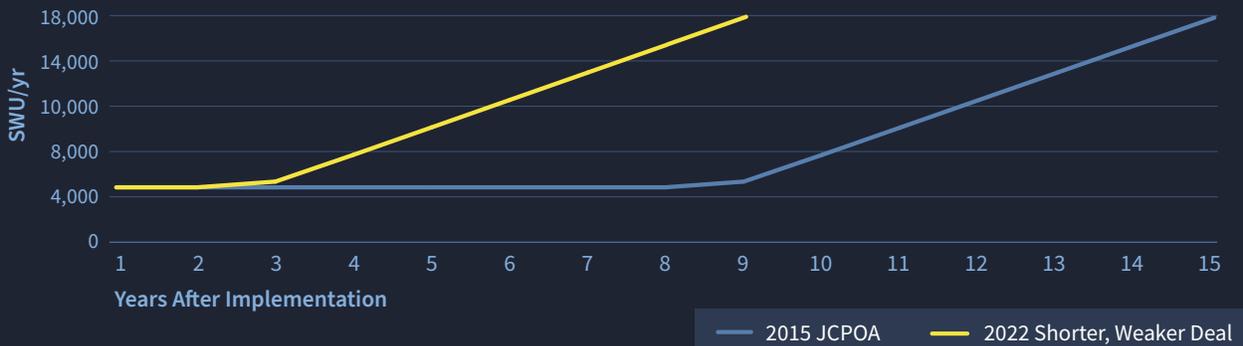
The JCPOA claimed to put Iran a year away from “breakout”—enriching a bomb’s worth of fissile material—for a decade. The new deal would be half as strong and half as long, leaving Iran a breakout time of six months and only for four years. A breakout time of less than two months could be too short to detect and respond to.



This reflects valid concerns about Tehran’s ongoing expansion of its enrichment activities, foremost its work on advanced centrifuges. Since at least March, any purported return to the JCPOA actually would produce a shorter and weaker agreement. Iran would need at most six months or so to produce enough fissile material for a bomb, not the twelve touted in the Obama administration’s 2015 rollout of the initial deal. Moreover, this “breakout time” would begin shrinking steadily four years from now as the expiration or “sunset” of the new deal’s other main nuclear caps would be only between four and nine, and no longer 10 to 15, years away. At this point, any attempt to return to the JCPOA would yield only half the non-proliferation benefits, and only for half as long, as the original, already weak deal.¹⁶

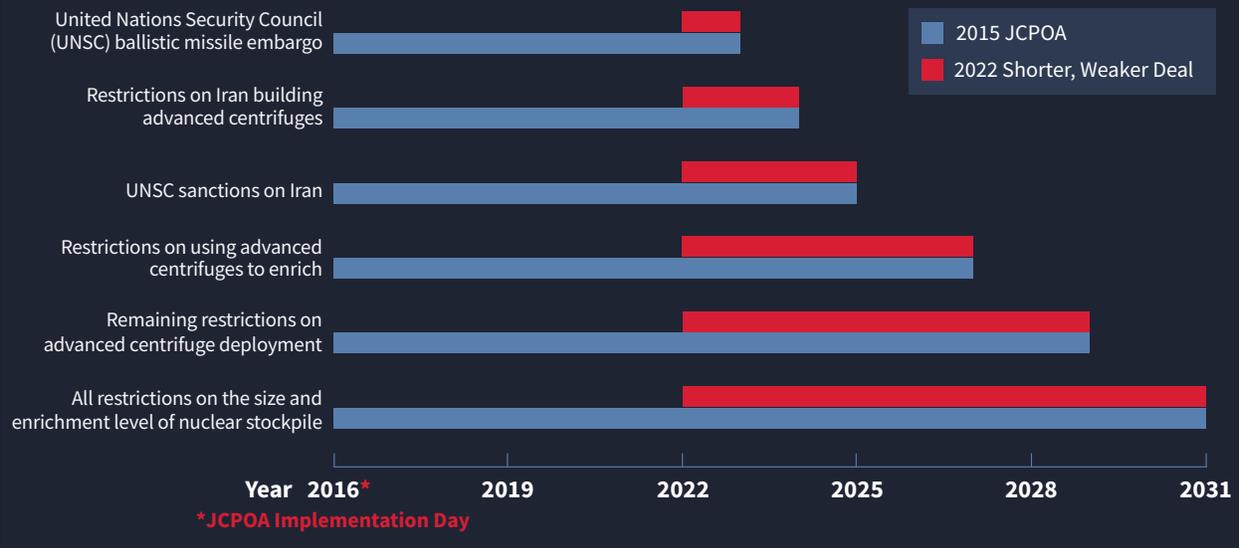
NEW DEAL'S SHORTER CAP ON ENRICHMENT CAPACITY

The JCPOA capped the number and type of centrifuges that Iran could use to enrich uranium for at least 11 years. The new deal’s restrictions would begin to lapse in as little as two years.



NEW DEAL'S SHORTER NUCLEAR RESTRICTIONS

The nuclear restrictions imposed on Iran by the JCPOA begin expiring next year. The new deal would not reset those sunsets, allowing Iran to begin expanding its nuclear program in as little as two years.



Moreover, the extensive sanctions relief due to Tehran under a rejuvenated deal would enable heightened Iranian aggression against U.S. forces, interests, and partners across the Middle East. The same happened after the JCPOA was agreed to in 2015, as Iran funneled sanctions relief into destabilizing the Middle East; its regional aggression nearly tripled after the original agreement – including taking U.S. sailors hostage and harassing U.S. naval vessels.¹⁷ A repeat of this trend would eliminate the primary source of U.S. leverage for hoping to compel Tehran to rethink its standing refusal of talks on a “longer, stronger” agreement. Rather than being an avenue to the Biden team’s ultimate goal, a revived nuclear deal would be simply a dead end.

B. Iran’s Demands Go Beyond the JCPOA

Since prior to his inauguration, President Biden emphasized how the United States would resume its JCPOA commitments once Iran did the same.¹⁸ Despite the framework of this “compliance-for-compliance” model having been largely hammered out over months of talks in Vienna, however, Tehran insists on additional U.S. concessions going beyond the 2015 agreement.¹⁹ This has included demanding monetary compensation for the United States leaving the deal in 2018, as well as political guarantees it would not do so again.²⁰

NEW DEAL LIFTS MORE SANCTIONS THAN JCPOA

While the JCPOA in 2015 required the U.S. to lift economic sanctions on key industries in Iran, the New Iran Nuclear Deal goes far beyond those requirements by lifting terrorism and human rights sanctions that were placed on those industries after the implementation of JCPOA. The new deal also lifts terrorism and human rights related sanctions on Iranian Supreme Leader Ayatollah Khamenei and other key Iranian officials and entities.

	2015 JCPOA	2022 Shorter, Weaker Deal	
	"Nuclear-related" Sanctions	"Nuclear-related" Sanctions	"Non-nuclear" related Sanctions
Energy and Petro-Chemical	\$	\$	\$
Banking, Finance and Insurance	\$	\$	\$
Shipping, Ports and Transport	\$	\$	\$
Metals, Mining and Heavy Industry	\$	\$	\$
Office of Supreme Leader and Top Officials	\$	\$	\$
Supreme Leader's Personal Slush Fund (<i>bonyads</i>)			\$
Islamic Revolutionary Guard Corps (IRGC) and Top Officers			\$
Other Human Rights and Terrorism			\$
IRGC Foreign Terrorist Organization Designation			?

\$ = Sanctions lifted

Talks now have been stalemated for months over Iran's latest "redline" that the United States de-list the Islamic Revolutionary Guard Corps (IRGC) as a foreign terrorist organization (FTO). Despite this issue having nothing to do with the JCPOA, the administration's initial effort to accommodate this demand and reach a deal – in exchange for Tehran committing to stop targeting American officials in response to the 2020 killing of Qasem Soleimani – was met with yet another "no."²¹ Still the White House has not broken off talks, even as Iran's quoted price for an agreement now includes not just tens of billions of dollars of sanctions relief and lifting the FTO designation, but also retaining the right to murder American citizens.²² Rather than keep diplomacy alive, the administration's continued willingness to talk and conspicuously put off Plan B only further encourages Iran to dig in its heels, keep growing its nuclear program, and search for additional signs of U.S. weaknesses to exploit.

C. Rising Domestic Political Opposition

The FTO issue also adds a new political layer atop these technical and strategic arguments against trying to reanimate the JCPOA's corpse. As far back as February, some of the White House's key allies on Capitol Hill signaled their initial concerns and uncertainties about why the administration persisted in trying to reach an agreement. Since the FTO designation came into focus as the final stumbling block, however, growing numbers of congressional Democrats joined with their Republican counterparts to send increasingly bipartisan warnings to the executive branch of the broad political blowback that would attend an Iran nuclear deal.²³

Bipartisan Congressional Concern About Biden's Shorter, Weaker Iran Deal

- FEB. 1, 2022** ● "A year later, I have yet to hear any parameters of 'longer' or 'stronger' terms or whether that is even a feasible prospect."
Sen. Bob Menendez, *D-NJ*
- MAR. 3, 2022** ● "I just don't know if we're going to be able to [rejoin the JCPOA as it existed in 2016 given how the situation has changed since then]."
Rep. Kathleen Rice, *D-NY*
- MAR. 6, 2022** ● "I ... will do everything I can to stop this bad deal."
Sen. Bill Hagerty, *R-TN*
- MAR. 10, 2022** ● "Without adequately addressing Iran's role as the world's leading state-sponsor of terror — which was noticeably absent from the 2015 JCPOA — and simultaneously providing billions of dollars in sanctions relief, the United States would be providing a clear path for Iranian proxies to continue fueling terrorism."
Bipartisan group of 21 Members of Congress
- MAR. 12, 2022** ● "We cannot re-enter a failed JCPOA to further empower Iran and threaten global security."
Rep. Elaine Luria, *D-VA*
- MAR. 13, 2022** ● "It's clear Iran is no friend to the United States, and Biden should not be negotiating with terrorists."
Rep. Lisa McClain, *R-MI*
- MAR. 22, 2022** ● "Based on media reports, a future deal is unlikely to permanently prevent Iran from acquiring a nuclear weapon ... I worry that the deal that is likely to emerge, based on what has been reported, is destined to be shorter and worse than the JCPOA. We were promised something that was longer and stronger."
Rep. Ritchie Torres, *D-NY*
- APR. 4, 2022** ● "It's very important that we stand strong against largest state sponsor of terrorism ... Congress needs to have a say."
Rep. August Pfluger, *R-TX*
- APR. 6, 2022** ● "We cannot treat the FTO [Foreign Terrorist Organization] designation ... as a cheap bargaining chip."
Rep. Josh Gottheimer, *D-NJ*
- MAY 1, 2022** ● "We were told by the administration, that if the negotiations didn't conclude by the end of February, that in fact, the time that would be lost, and what we would gain would be of very little importance—of value—to us. Well, now it's the end of April. And so if the end of February wasn't going to buy us what we need, certainly the end of April is not."
Sen. Bob Menendez, *D-NJ*
- MAY 4, 2022** ● In a bipartisan vote (62-33), the Senate passed a motion to instruct conferees sponsored by Senator James Lankford (R-OK) insisting that any agreement with Iran 1) addresses the full range of Iran's destabilizing activities, not just its nuclear program, 2) "does not revoke" the IRGC's FTO designation, and 3) keeps in place all other existing sanctions on the IRGC.
U.S. Senate

The Biden administration's original plan of pursuing a strict return to the JCPOA to prevent a nuclear Iran and enable a "longer, stronger" follow-on agreement that would also address other malign activities is no longer feasible. After over a year of pursuing diplomacy with Iran it is now clear that any deal that might be possible would not be the JCPOA. It would necessarily be weaker and shorter, giving Tehran far greater nuclear and economic benefits than the original agreement while simultaneously undermining the chances for any further attempts to change Iranian behavior through diplomacy. Any such dangerously asymmetric deal would rightfully meet with concerted, bipartisan opposition in Washington.

The JCPOA is dead. The pressing question for the Biden administration is what to do next.

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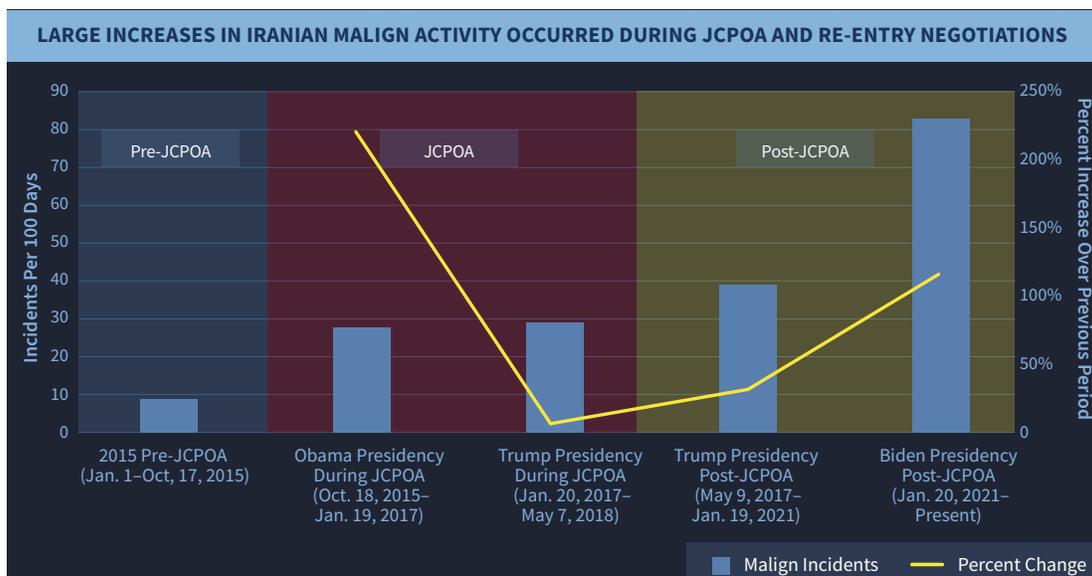
III. Dangers of Sticking with Plan A

The Biden administration has implicitly admitted, repeatedly for months now, that time is not on America’s side in its nuclear diplomacy with Iran, and that therefore Plan A is a wasting asset.²⁴ Every day that this unfounded hope in the JCPOA and Iran’s goodwill continues, Tehran moves one day closer to nuclear weapons capability and the United States loses a crucial day in the struggle to prevent this outcome. While the Biden administration waits for time to run out on diplomacy, it is actually losing precious time to prevent a nuclear Iran.

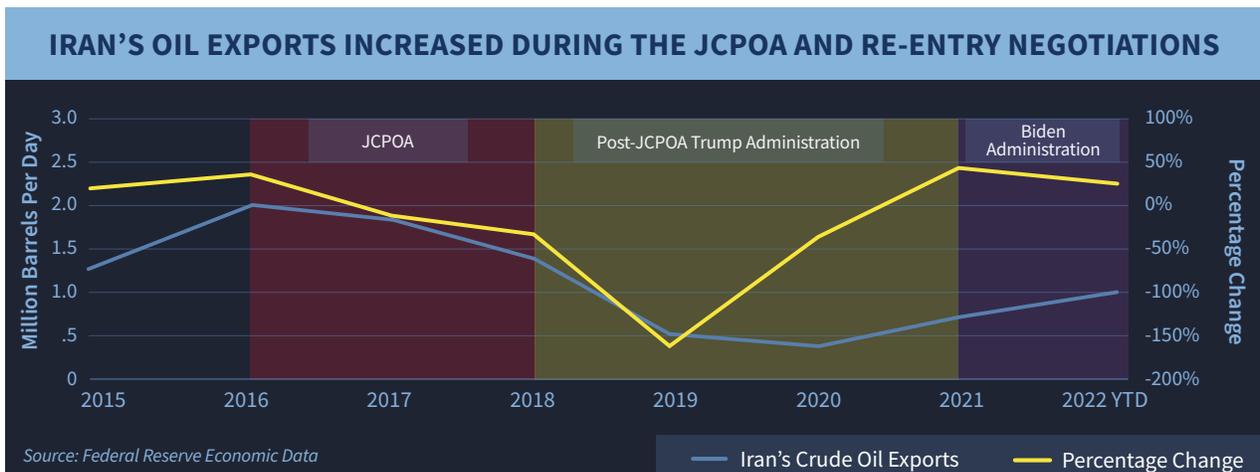
While the Biden administration waits for time to run out on diplomacy, it is actually losing precious time to prevent a nuclear Iran.

Keeping with the current open-ended diplomatic approach allows Iran’s negotiating leverage to keep growing in tandem with its nuclear advances, offering a steady path to the threshold of nuclear weapons capability in the near future. This path is becoming

even more attractive to Tehran in light of Russia’s recent successful use of nuclear threats to deter direct U.S. or NATO retaliation against its aggression in Ukraine.²⁵ Iran’s leaders can reasonably conclude that, once they attain the bomb, they could attack their neighbors with conventional forces while using the threat of a nuclear weapon to prevent intervention by the West, particularly since the United States has already proven itself reticent to use military force against a non-nuclear Iran. Similarly, the pattern of weak Western responses to Russia’s earlier incremental aggressions against Georgia, Crimea, Donbas, and Syria in 2008-15 contributed directly to the failure to deter Putin’s full-scale invasion of Ukraine.



Sticking with Plan A also moves the United States ever further from an acceptable nuclear deal by steadily eating away at the only existing source of negotiating leverage against Tehran, thanks to the administration’s conspicuous underenforcement of U.S. sanctions. This has also revived Iran’s lucrative revenues from oil exports, most of all to China, especially amid soaring global energy prices. Whereas Iran’s average daily crude oil exports plunged 79 percent from 2017-20 as a result of “maximum pressure” U.S. sanctions, this figure has rebounded 250 percent over the year-plus of the Vienna talks, according to the IMF.²⁶ Tehran’s accessible exchange reserves also grew an estimated seven-fold, some \$27 billion, between 2019 and late 2021.²⁷ Lax sanctions enforcement will drive additional nails into the JCPOA’s coffin over time, as rejuvenated revenues further incentivize Tehran’s diplomatic foot-dragging and reduce its need for sanctions relief.²⁸ On May 15, for instance, Iran’s chief nuclear negotiator boasted about already “foiling the enemy’s plot [by] neutralizing sanctions.”²⁹ Continued underenforcement also will further strain U.S. ties with regional partners, both by signaling the administration’s willingness to keep trying to accommodate and conciliate Tehran, and by giving the Iranian regime more money for aggression around the Middle East.



Moreover, just as U.S. statements that it would not commit troops to the defense of Ukraine and limited, intermittent military assistance created a permissive environment for Russia’s eventual invasion, so too U.S. inaction in the Middle East – even in the face of direct Iranian attacks – is only making conflict more likely.³⁰ Facing an existential threat from a nuclear Iran, Israel is likely to take military action itself to prevent such an outcome, potentially sparking a broader regional conflict with Iran and its dangerous proxies, particularly Hezbollah.³¹

Over time, these perceptions of American indifference or absence will steadily worsen already-strained relationships with its Middle East partners, who will feel compelled to look elsewhere for security providers – possibly to Moscow or Beijing – and/or pursue accommodation with Tehran. The existing cost of such strains recently was on display, amid disruptions to energy supplies by Russia’s Ukraine invasion, in the stark Saudi refusal of the Biden administration’s request to boost oil production and help reverse rising energy prices.³²

Alternatively, Iran's continued progress toward the bomb might sharpen the incentives of other regional actors to seek their own nuclear deterrents. An ensuing proliferation cascade across the Middle East would be inherently unstable, given the sheer number of countries pursuing these weapons and the fact they likely would lack survivable second-strike capabilities – among other acute differences from the relative stability of the mutually-assured destruction that obtained between Moscow and Washington for much of the Cold War.³³

For each additional dollar Tehran earns, each additional kilogram of uranium it enriches, each additional centrifuge it installs, and each additional day the United States waits to implement Plan B, the pressure that will be needed to convince Iran to give up its nuclear program grows exponentially and the time available to build that pressure shrinks.

Perhaps most importantly, trying to muddle along with Plan A, and avoiding confronting the dead-end of the current approach, means putting off urgently needed concrete steps to actually prevent a nuclear Iran. As National Security Adviser Jake Sullivan told his Israeli counterpart last fall, “the president has made clear that *if* diplomacy fails, the United States is prepared to turn to other options [italics added].”³⁴ Pivoting to this Plan B will become steadily more difficult over time as Iran's nuclear program expands further and as it accrues additional energy export revenues to put toward regional aggression. For each additional dollar Tehran earns, each additional kilogram of uranium it enriches, each additional centrifuge it installs, and each additional day the United States waits to implement Plan B, the pressure that will be needed to convince Iran to give up its nuclear program grows exponentially and the time available to build that pressure shrinks. The Biden administration is right to insist that time is running out, but it is running out on a viable Plan B.

IV. Plan B Recommendations

The JCPOA may be dead but the administration refuses to admit it. Absent determined action by the United States, there is little chance of reaching any sort of resolution of the Iran file. Tehran will never terminate the diplomatic process. So long as it continues to profess its willingness to negotiate, it reaps the benefits of international goodwill, relaxed U.S. sanctions enforcement, an expanding and accelerating nuclear program, growing discord between Washington and its Middle Eastern partners, and the continued possibility of extracting further U.S. concessions, all without having to agree to anything.

If the Biden administration wants to deliver on the president’s “unshakeable commitment to prevent Iran from acquiring a nuclear weapon,” it will have to accept the failure of its original policy, declare the JCPOA dead, and move to a comprehensive “Plan B” pressure strategy.³⁵ It is most important that the United States set very clear redlines for further Iranian nuclear advancement and regional aggression, and back them up with visible increases of U.S. military readiness in the Middle East. However, given the lack of credibility of the U.S. military option against Iran, the Biden administration also should work with regional partners – especially Israel – to boost their military capabilities and deterrent effect against Iran.

A. Admit Iran Killed Plan A

After a lost year of negotiations in which ample good faith, excessive patience, and unilateral conciliation from the United States were met with predictable Iranian foot-dragging and obstructionism, the first step toward recovery is for the Biden administration to admit to itself and the world that Tehran, and Tehran alone, has made a revived nuclear agreement impossible.

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Even on its own, such an admission, from an administration that has been thoroughly committed to reinstating the JCPOA, will have significant salutary effects. It will signal to Iran that it cannot use endless negotiations as cover for nuclear advancement. It will help crystalize the consensus that already appears to be building in European capitals – that Iran was given every chance to reach a diplomatic solution and rebuffed those efforts.³⁶ And, perhaps most important, it will reassure American partners in the Middle East who, afraid that the United States was going to accede to a deal undermining their

security interests, had begun hedging their bets, weakening their ties to Washington, accommodating Iran, and/or reaching out to American competitors.

Going further and publicly explaining this decision, including laying out how Iran repeatedly met America's open hand with a closed fist, will help build international and domestic support for serious U.S. next steps laid out below. Any justification should make clear the reported final stumbling block to a deal – Iran's demand to remove the IRGC's FTO designation – has nothing to do with America's JCPOA obligations, and that Tehran even shot down offers to lift the FTO designation in exchange for mere pledges not to continue seeking to kill American officials for the 2020 U.S. killing of IRGC Quds Force commander Qasem Soleimani.³⁷

Acknowledging the failed attempts to revive the JCPOA, and ensuring the world understands Iranian intransigence is to blame, will be critical to enabling the administration, in close coordination with Congress, to develop and implement the seriously overdue Plan B of enhanced pressure to deter or deny Iran's ongoing nuclear advances and regional aggression.

B. Adopt a Comprehensive Plan B

After admitting there is no returning to the JCPOA, the Biden administration should publicly and visibly pivot to a "Plan B" of comprehensive pressure on the Iranian regime. Rather than seek diplomatic accommodation with an inherently and profoundly hostile regime that exploits every U.S. offer of an open hand, the immediate goal of such a strategy should be to stop and contain the further advancement of Iranian malign activity – particularly its nuclear program and regional aggression. This approach should be comprehensive in three main areas: it should seek to address all of Iran's threatening actions, it should employ all tools of U.S. national power, and it should involve all U.S. regional partners.³⁸

First, the Biden administration should replace the U.S. tendency to segment and sequence its Iran policy with a strategy addressing the wide range of Iranian threats. Just as Tehran regularly employs non-nuclear pressure tactics to try to compel U.S. nuclear concessions and vice-versa, steps to impose barriers or costs on Iran's regional military expansion will signal resolve more generally and add credibility to U.S. pledges to prevent a nuclear Iran.

Second, the pursuit of one-dimensional strategies with Iran – be it just diplomacy or just sanctions – has failed to achieve the fundamental U.S. objective of preventing a nuclear Iran. The United States must be prepared to bring simultaneous pressure to bear on multiple fronts in an integrated economic, political, informational, and military strategy.

Third, the Biden administration should recognize that its greatest assets are the willing and capable partners most threatened by Tehran's nuclear and regional ambitions. The United States should move with purpose to reconcile differences with Jerusalem, Riyadh, and Abu Dhabi and take clear steps to support and empower them, including by ensuring the United States is a reliable supplier of its Arab partners' legitimate defense needs. Such a united front will both signal to Iran that it faces staunch united opposition and convince U.S. partners to bring their own power and assets to bear, reducing the burden on the United States.

A comprehensive strategy should include the following elements:

Recommit to the Middle East with a Biden Doctrine

For more than a decade, the United States has struggled increasingly with perceptions, among its regional partners and adversaries alike, of waning American presence and commitments in the Middle East. After announcing the shift to a comprehensive Plan B, the administration can begin reversing this negative trend by articulating a "Biden Doctrine" that updates and clarifies U.S. interests, commitments, and force posture requirements in the Middle East.

The United States has not explicitly done so since the height of the Cold War, when President Carter first enunciated such a doctrine in his 1980 State of the Union address. In short order, the Iranian revolution and hostage crisis, the seizure of the Grand Mosque in Mecca, and the Soviet invasion of Afghanistan all combined to make America look weak in the Middle East and undermine its previous policy, dating back to President Nixon, of relying much more heavily on regional partners to uphold stability.³⁹ President Carter outlined succinctly both the ends and means of U.S. policy: "an attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America, and such an assault will be repelled by any means necessary, including military force."⁴⁰ A year later, amid an escalating Iran-Iraq War, the "Reagan Corollary" committed the United States to defend also against internal threats to regional stability, as well as build up the military capabilities of key partners like Saudi Arabia.⁴¹

Though the Carter Doctrine and Reagan Corollary guided basic U.S. regional policy for decades, it is uncertain if they still apply today. In addition to competing demands on U.S. resources and attention in Europe and Indo-Pacific, the credibility of U.S. commitments in the Middle East has been decidedly weakened by, among other events, the failure to uphold America's redline against Syrian chemical weapons use in 2013, the conspicuous non-response to Iran's massive attack against Saudi energy facilities in 2019, and precipitous U.S. drawdowns and withdrawals from Iraq in 2011, Syria in 2019, and Afghanistan in 2021. President Biden is now the third consecutive commander-in-chief to pledge reduced U.S. regional involvement and presence.⁴² In the ensuing vacuum Iran has seen a green light to accelerate its enrichment activities to the brink of nuclear weapons capability, aggressively expand its regional military reach, and ramp up pressure on U.S. forces and partners. Simultaneously, U.S. strategic competitors

like Russia and China have bolstered their regional presences and cooperation, both with Iran and with American partners casting about for reliable security providers.

In tandem with the concrete measures spelled out below, a Biden Doctrine for the Middle East would underscore the region's continued importance for U.S. national security, reassure uncertain partners that the United States takes their security concerns seriously, and strengthen deterrence against Iran's nuclear and regional threats alike, and against other adversaries. Any statement should make clear that:

- It is a vital U.S. interest to prevent regional domination by any internal or outside power, including through the spread of nuclear weapons capability in the region; and
- Any such threats will be met with any and all elements of U.S. national power, including military force, and by ensuring that regional partners have the necessary capabilities to defend themselves.

Similar to President Carter in his 1980 speech, the Biden administration also should emphasize it will work with Congress to ensure the United States can uphold these commitments. Given growing bipartisan opposition on Capitol Hill to reducing U.S. pressure on Iran, emphasizing close executive-legislative cooperation would reinforce the credibility of a new Biden Doctrine.

Boost U.S. Military Readiness

Tangible actions were crucial to convey the seriousness of U.S. intentions underlined in the Carter Doctrine and Reagan Corollary. Most important, and as part of a larger buildup of U.S. force presence, this entailed standing up a dedicated regional military force that ultimately became CENTCOM.⁴³ Similarly, the administration should take multiple actions to raise U.S. military readiness in the Middle East and undergird the credibility of a Biden Doctrine.⁴⁴ Specific activities should include:

- Updating contingency planning for operations to: neutralize Iran's nuclear facilities and associated military capabilities, counter potential retaliation by Iran and/or its proxies, and defend U.S. and allied assets against growing Iran-backed projectile threats;
- Regional force posture enhancements, including: deploying strategic bombers and massive ordnance penetrator (MOP) munitions to Diego Garcia in the Indian Ocean, boosting U.S. naval presence rotating through the Strait of Hormuz and Red and Arabian seas, and ensuring force protection for U.S. strategic assets around the Middle East;
- Joint military exercises to demonstrate and improve readiness for these updated contingency plans and force deployments; and
- Strategic communications publicizing these activities and connecting them explicitly to the new U.S. posture laid out in a Biden Doctrine.

Build an Integrated Regional Defense Network

Recent events surrounding Ukraine demonstrate the value of allied unity and capable frontline partners in countering shared threats and rolling back military aggression. Though these same events show how the United States can rapidly bolster its partners' military capabilities when urgently needed, they also suggest more proactive policies could help mitigate or deter the risks of major conflict in the first place. However, despite continual pledges to work with regional allies on Plan B, the administration has kicked this can down the road, and undermined deterrence against Tehran, by saying it will consider such options only if and when negotiations officially fail.⁴⁵

With talks effectively stalemated, the administration must make up for lost time and invigorate diplomatic and security cooperation with key Middle East partners – especially as the pursuit of a renewed nuclear deal has inserted dangerous daylight into U.S. ties with Israel, Saudi Arabia, and the United Arab Emirates (UAE) over the past year-plus. These steps also will inject inherent credibility into an accompanying Biden Doctrine, reassure regional partners and enable them to more effectively share the burdens of collective defense that otherwise fall largely on the United States.

First, the administration should officially recognize Israel's freedom of action to do what it believes necessary to prevent a nuclear Iran and reaffirm U.S. policy to provide Israel the capabilities it needs to defend itself by itself. In this regard, the administration should ensure the swift transfer to Israel of critical military capabilities, for which Israel already has arranged or requested expedited procurement. This includes:

- Expediting delivery of two KC-46A Pegasus aerial refueling tankers;⁴⁶
 - » Concomitantly, Congress should request the administration to assess the availability of KC-46As for transfer to Israel.
- Precision guided munitions (PGM) such as the Joint Direct Attack Munition (JDAM) and GBU-39/B small diameter bomb (SDB), possibly through the Pentagon's Special Defense Acquisition Fund (SDAF) which can shorten delivery times by enabling the United States to purchase these weapons in advance of their sale to Israel;
- Fixed-wing combat aircraft and helicopters, including a third squadron of F-35I multirole aircraft to continue replacing its aging F-15/-16 long-range strike fleet, as well as CH-53K heavy lift and SH-60/MH-60 multi-mission helicopters;
 - » In parallel, the United States should fast-track efforts to sell and/or transfer additional F-15 fighter aircraft via the Excess Defense Articles (EDA) program.
- Adequate batteries of – and interceptors for – Israel's Iron Dome, David's Sling, and Arrow air defense and missile systems, all of which are co-produced with the United States.⁴⁷

- » Amid competing demands from the need to prepare for munitions-intensive conflicts in Europe, Indo-Pacific, and the Middle East, the United States needs to ensure its defense industrial base has proper capacity and wartime mobilization ability to provide sufficient supplies for the U.S. military and its allies.

The administration also must shore up its broader regional position by repairing damaged ties with Saudi Arabia and the UAE, both bilaterally and through the auspices of the Abraham Accords.⁴⁸ A Middle East summit during President Biden's Israel visit in June, which the White House reportedly is considering,⁴⁹ offers a high-profile forum to signal America's enhanced commitment to countering Iran's malign activities, including by:

- Integrating Israel more fully into CENTCOM structures and exercises alongside U.S. and Arab partner forces, and exploring the possibility of joint humanitarian, information-sharing, and interdiction operations around the region;
- Strengthening maritime domain awareness and cooperation among the United States and regional partners, including by beginning to incorporate Israel into the Combined Maritime Forces (CMF) – including Combined Task Force-153 – and possibly the International Maritime Security Construct (IMSC) and Task Force 59, all of which are led by U.S. Naval Forces Central Command (NAVCENT)⁵⁰; and
- Inaugurating serious efforts toward building an effective regional air and missile defense and shared early warning system, beginning with U.S.-led information-sharing initiatives to develop a common air operating picture among CENTCOM and its partner nations and possibly facilitate the transfer of Israeli air and missile defense systems to its budding Gulf partners.

Though Congress can play a complementary role, success also depends appreciably on White House efforts to mend fences damaged by Riyadh's and Abu Dhabi's perception that the administration is not serious about Iran threats.⁵¹ This entails explicit statements confirming that the IRGC's FTO designation is not up for negotiation, and reversing the White House's counterproductive February 2021 decision to remove a similar designation on Iran's Houthi proxies in Yemen.⁵² The administration also must address deep tensions with Saudi Arabia over the 2018 Khashoggi killing and its deliberate downgrading of the longstanding bilateral security partnership.⁵³ The administration can further signal its commitment to rebuilding frayed ties by positioning the United States to be a reliable supplier of its Arab partners' legitimate defense needs and by filling vacant ambassadorships in the UAE and Oman, among other steps.⁵⁴

Stringently Enforce Sanctions

Sanctions alone are insufficient to compel real changes in Iran's malign behaviors, but they play key roles in reinforcing military deterrence and signaling U.S. resolve to impose serious costs on nuclear and regional aggression alike. Conversely, the Biden administration's unilateral conciliatory gestures of sanctions relief and under-enforcement

have backfired by unnerving regional allies, filling Tehran's coffers, and convincing it to ratchet up counterpressure against the United States and its partners – whether at the negotiating table in Vienna, on the ground in the Middle East, or in the nuclear arena.

Working with Britain and France, both of whom are increasingly frustrated with Tehran's foot-dragging, the administration should encourage European allies to lead the charge in implementing “snapback” sanctions against Iran through the UN Security Council (UNSC). As per UNSC Resolution 2231 enshrining the JCPOA in 2015, Iran's “significant non-performance of commitments” under the deal means any other “participant state” can trigger a 30-day process to restore the UNSC's six resolutions on Iran, passed in 2006-10, that were terminated by Resolution 2231.⁵⁵ Absent a resolution to the contrary during this period, which the United States, France, or Britain could veto, these six previous resolutions – five of which are legally-binding – would snap back against Iran, reimposing sanctions on enrichment and reprocessing activities, reviving a complete arms embargo that lapsed in 2020 (as per the JCPOA), and prohibiting “any activity related to ballistic missiles.”⁵⁶ Having committed to good-faith talks for a year-plus, and amid Iran's accumulative violations of the deal, France and Britain can credibly claim, and should make explicitly clear, that Tehran's obstructionism leaves them no other recourse at this point.

The Biden administration also should penalize specific violators of U.S. secondary sanctions that target the Iranian regime's most lucrative revenue streams. Primarily, this means Tehran's robust oil exports to China, which in March 2022 had risen 40 percent year-on-year – reaching their highest level since the United States left the JCPOA in 2018.⁵⁷ Enacting fines and other punitive measures on entities that egregiously flout U.S. sanctions can help reverse a worsening global trend of non-compliance with Iran sanctions and make potential evaders of significant new U.S. sanctions on Russia think twice. Likewise, it will mitigate dangerous perceptions that the administration will simply tolerate Iran's continuing nuclear advances, regional aggression, and unconstructive diplomacy.

Finally, the administration must stop tolerating Iran's stonewalling of the IAEA.⁵⁸ Despite repeatedly violating its safeguards agreements by blocking IAEA access both to declared nuclear facilities since at least February 2021 and, since 2019, to undeclared sites where inspectors suspect Iran worked previously on a nuclear weapon, Tehran agreed to a last-minute fig leaf deal in March ostensibly to resolve outstanding concerns.⁵⁹ With the IAEA chief now warning Iran has not been cooperative in this process – Tehran's third such unfulfilled deal in less than a year – the United States should work with its European partners to pass an IAEA censure resolution against Iran.⁶⁰ As with the most recent censure of Iran in 2006, this would strengthen the case for reimposing serious UNSC sanctions on Iran; it also would underscore how Tehran's obfuscation – not the administration's firmness on the FTO issue – ultimately killed the JCPOA.

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