

DUBOWITZ: Hi, thanks for joining us today. I'm Mark Dubowitz, the CEO of FDD. I hope everybody is staying safe and healthy. I'm honored to moderate today's discussion on Iran's nuclear program. As many of you know who are tuning in, FDD's Iran Program covers every aspect of the Iran portfolio. It includes some of Washington's top experts on sanctions, illicit finance, nonproliferation, terrorism, Iran's regional aggression, human rights abuses, and the regime's domestic power apparatus. Our Iran Program is just one component of a broader national security and foreign policy portfolio. We are a source for timely research, analysis, and policy options for Congress, the administration, the media, and the broader policy community. We take no foreign government funding. In 2019, Iran sanctioned FDD and me, calling us erroneously, the designing and executing arm of the U.S. government on Iran policy. Thankfully, these threats lead to bipartisan condemnation, including from Trump, Obama, Bush and Clinton officials. But our work on Iran continues, including discussions like today's. For more information on the Iran Program, and our broader work, I encourage you to visit our website at FDD.org.

And now, I'm very pleased to introduce our panel of three experts. David Albright is a physicist, and the founder and president of the Institute for Science and International Security. He and his colleagues have tracked Iran's nuclear program for many years, providing nonpartisan technical analysis and actionable policy recommendations. Rich Goldberg is a Senior Advisor at FDD. Most recently, he served as the Director for Countering Iranian Weapons of Mass Destruction at the NSC, where he was responsible for coordinating President Trump's maximum pressure campaign. He previously served as Chief of Staff for Illinois Governor Bruce Rauner, as a senior foreign policy advisor in the U.S. Senate and U.S. House of Representatives where he was a leading architect of the toughest sanctions imposed on the Islamic Republic of Iran. Andrea Stricker is a Research Fellow at FDD, where she conducts research on nonproliferation, Iran, North Korea, and broader security policy. She's extensively researched Iran's nuclear program, including its history, proliferation efforts, and diplomatic agreements, particularly issues relating to the Iran nuclear deal and Iran's nuclear archive, a topic on which she is writing a book with David Albright.

So welcome to the panelists. Andrea, I want to start with you specifically about the IAEA's NPT compliance report. What does it indicate about Iran's cooperation with agency's investigation into undeclared nuclear material and activities?

STRICKER: Well, the big news from the report is that Iran is still denying IAEA access to two sites of concern, since its first request in January 2020, and it's not giving answers regarding those sites and another location that it says are related to undeclared nuclear material and activities. The IAEA has stated quite forcefully in this report that for almost a year, Iran has not provided the agency with required answers to its questions. This comes after a high-level blitz of meetings where the IAEA's head of safeguards was going periodically to Tehran, really using diplomacy to try to get them to provide access or pledge cooperation. In the end, they were unsuccessful. Iran kept claiming that it required further clarification, that there were legal ambiguity as to its obligations. It also didn't want this refusal of access reported as a denial and asked to hold further discussions.

So, if we recall back in January, the IAEA reported that when it first requested access, Iran used the justification of the JCPOA having closed the matter as reason to deny access. It said that it closed the issue of the past. So, the IAEA pushed back on that. In this most recent report, it said that it asks Iran as recently as June 4th for access once again. It said that its access request is strictly in adherence with the Additional Protocol and the safeguards agreement. There are no legal ambiguities regarding its rights and obligations to do so. It also reminded Iran that the Additional Protocol requires it to make every reasonable effort to satisfy the access requests without delay. And I think an important point is that we would not have seen this kind of language coming out of the past leadership of the IAEA. And David, do you have anything to add to that?

ALBRIGHT: Clearly, it's the statement of the IAEA that it has serious concern is a real alarm going off. It doesn't do this very often. I mean, it's not faced with many cases where the country refuses access after it's been specifically asked and the IAEA gone to great lengths to legally and technically justify their request. And it reminds me of what happened in North Korea in '92 and '93 where the North Koreans denied the IAEA access to sites that have, a place called Yongbyon Center. And it's centered on, at that time plutonium, but still undeclared plutonium, it could be used in nuclear weapons. And so, when the IAEA does this, it's trying to send a signal that they are greatly worried about Iran's activities around non-peaceful uses of nuclear energy, particularly, is Iran hiding activities related to nuclear weapons?

So, it's definitely something that affects them today. It's not just a historical curiosity looking back into the past. As in North Korea, the plutonium that was an issue that had been, in a sense undeclared had been dated back several years. It wasn't something that had just happened. Yet when the IAEA investigation historical led to this revelation of undeclared plutonium and then several years later they presented it. And sought access to verify and determine the actual situation. In Iran today we're faced with a similar situation, it has to do with undeclared uranium and undeclared nuclear activities and where is that uranium today? And do those activities continue today?

DUBOWITZ: David, let me ask you specifically, because there was some new information in the report about what is now known to be three sites of interest to the IAEA. What are those sites and what can you tell us specifically about them?

ALBRIGHT: One thing that's interesting is that all three sites relate to potential nuclear weapons, development activities, or producing the fissile material for a nuclear weapon. So, the sites have to do with what was revealed in the nuclear archive that was seized by Iran in 2018. And so, it really is new information that the IAEA is acting on and even during the most heated moments of the JCPOA negotiations and the implementation period, the IAEA always said, "If new information comes up, we will pursue it." And particularly with the new Director General, Grossi, he's decided to pursue it to its inevitable end, if necessary, which would be a referral to the UN Security Council.

But what these sites are, is I must say it's difficult to figure out. The IAEA, in kind of deference to Iran, has tried to keep everything secret. People have been put under tremendous constraints not to reveal the information, but it is emerging. And so, of the three sites, the first one that's discussed is one the IAEA said, "Look, it's been so raised and sanitized, it's not worth us asking to go there." It's a site called Lavizan-Shian, which the IAEA doesn't identify in the text, but it identifies in a footnote. So obviously it wanted that out. And it was a site that was a very important part of the nuclear weapons program in the 1990s into the early 2000s.

Another site has to do with uranium conversion and particular, the IAEA put a signal in the report that it has to do with what's called forination of uranium, which traditionally means uranium hexafluoride, which is the feed material for a gas centrifuge plant. This site was undeclared. It looks like it was a pilot plant to make uranium hexafluoride. Part of the Amad Plan, which was going to produce a much larger amount of hexafluoride or otherwise acquire it, perhaps from a more simple side of the program that we would know isn't a tons plant, but nonetheless it would be used in a secret gas centrifuge plant under the Al Ghadir plan or project and that was Fordow. And so, this UF₆ production activity that the IAEA is investigating is part of a chain of activities that would lead to secret production of weapon-grade uranium at what was then or what we've known as the Fordow plant, but was actually called the Al Ghadir plant.

The third site has to do with testing nuclear weapons components. And that one appears to be the most sensitive. What I'm prepared to say is that it's a site that is related to testing fairly large components of nuclear weapons, kind of what we'd call almost cold tests of a collection of components to let's say, initiate the high explosive that would then

compress spherically on a core. So, you test what happened minus the core, but you may use natural uranium as a surrogate material.

There's other types of tests that would involve uranium, but it was a very important site. And Prime Minister Netanyahu revealed the existence of this site, I believe, at Abadeh and showed how it was raised in July 2019 and the IAEA report specifically talks about a site being raised in 2019 and that's the connection I would make with Abadeh. So again, it's a nuclear weapons development site. It's very important. The information about it was in the nuclear archives and the IAEA pursuing that.

Now, one thing I would add is the IAEA has a tough time investigating nuclear weapons programs. A lot of countries feel that it shouldn't do that. It does it, started in South Africa, Taiwan, Iraq, but countries like Russia constantly try to beat them off of that. But there's one part that Russians cannot withstand and there's a nexus between nuclear materials and nuclear weapons programs. And the nexus is being pursued by the IAEA right now in regards to natural uranium. That undeclared natural uranium was found or suspected at the uranium conversion facility, at Lavizan and at, well, the site I'll call Abadeh.

And they actually – if they can get through this investigation, they intend from what I understand to do a full blown investigation of the past and potentially ongoing nuclear weapons program in Iran fully using the information in the archive and in their own records to try to pursue this question even more aggressively, but because of the intense political opposition waged by Russia and some others, they're sticking right now to this idea of, "Where's the undeclared uranium? And where is it today? And the associated activities, are they continuing or not?"

STRICKER: If I could just add on one point to another finding by the IAEA in these reports. So, in their separate JCPOA or UNSCR 2231 implementation report, they reported follow up information about their ongoing investigation into finding undeclared, refined uranium at a warehouse called Turqzabad. So that's in a neighborhood of Tehran. The IAEA reported that it first took the samples in January 2018. This warehouse is another site that was revealed by Prime Minister Netanyahu of Israel, and he stated that it stored nuclear related equipment and some kind of nuclear material.

And soon after Israel had seized this separate archive of nuclear materials from a separate Tehran site, Iran had started removing the contents from this Turqzabad warehouse and sanitizing the site. So, for the first time, the IAEA states in its report that it took environmental samples at two other declared sites in January, this January, that were in relation to the warehouse particles. And it said that Iran had provided it information about this uranium. So, it took those samples. The analysis of the uranium is delayed, I guess, because of the COVID-19 pandemic and the temporary closure of the analytical laboratories in Vienna. But that's another key point that they're following up on.

ALBRIGHT: Yeah. If I could add one – the two sites they've asked to inspect, again I mentioned it's about undeclared uranium, those sites are connected to the findings of uranium at Turqzabad. *Bloomberg* reported that some of the uranium particles were actually uranium hexafluoride and that would tie it to this site, the uranium conversion facility that was involved in making uranium hexafluoride. I've been told there's a connection to the Abadeh site, but I don't know what that is. But again, Turqzabad is an extremely important case, was extremely important for the IAEA to get in there, take samples and despite the cleanup fire by Iran, the IAEA detected particles of uranium that then appear to have led to two sites that they want to inspect, and indications of a third at Lavizan-Shian, which they decided it wasn't worth the effort.

The two sites Andrea mentioned are, in a sense, Iran's defense. They say, "Well, we did nothing. We've never had nuclear weapons. You'll find the explanation at these two sites." I would expect that the IAEA will not find an explanation for the particles at Turqzabad and the activities that these three other sites had at those two sites. Maybe they'll find new information that'll further incriminate Iran, we'll just have to wait to see what happens.

DUBOWITZ: So, Rich, I want to get you into the conversation. I mean, certainly one major headline from the reports is that there's been a 50% jump in Iran's enriched uranium stockpile. And before we get to David and Andrea for the technical analysis of what that means for Iran's breakout time and how many nuclear weapons Iran would be able to build with that stockpile, I want to sort of pull you in to just talk about the policy implications for what these reports mean for E3 policy on Iran, given that this is the second quarterly report showing expanded enrichment by Iran since the E3 triggered the dispute resolution mechanism back in January. And now we also have, obviously, as David and Andrea have explained, the problem for Iran denying access to these three key sites. So, talk a little bit about the policy implications as you see it.

GOLDBERG: That's a great question. I think the E3 are in a very difficult position if they want to try to defend Iran's actions. I don't think they will do that. I don't think they can do that. They obviously went forward in January with the dispute resolution mechanism over the JCPOA violations. Those have only expanded per the IAEA reporting now for two straight quarters. And so, I think they have to have a decision on what their next step is within the DRM context. And I think that's compounded by the safeguard's compliance concern, because even if you are a devout believer in the JCPOA, at this point, Iran is in full breach of all of its commitments. It's expanding its enrichment, it has other violations as well that are concerning. And it is not living up to its most core obligations of the NPT with the declaration of nuclear materials and activities.

And if they're not living up to their NPT obligations, and remember this is separate from the JCPOA, this is, as you've just heard, something that's been going on before, during, and after U.S. participation on the JCPOA. Then I don't really know how they can say, "Well, we shouldn't move forward in some way with accountability. We'll just keep asking Iran to do better." I think if you look at the Board of Governor's statements over the last several quarters, you've seen adjustments, especially from the British, with their ambassadors the IAEA, as the summer months went forward, the fall went forward last year, and now into this year where it went from, let's try to get back into JCPOA, let's all talk, to expressing deep concern over an emerging safeguards compliance issue. But still hoping that JCPOA continue.

To now, really, more sort of for continuous support for JCPOA, having to reevaluate the policy, and understanding that Iran is in full breach, not just of its commitment with the JCPOA, but also the NPT, potentially. And so, I think we will have to see IAEA Board action. The E3 will support that I would imagine. That it is simply to defend the integrity of the agency. The Director General has taken an incredibly big move here as David said, sounding the alarm by issuing this report. That represents the gravity of the situation on a safeguard compliance side for the IAEA professional staff.

It's incumbent upon the Board of Governors to back them up and back up the Director General of what some sort of resolution forthcoming. But again, as David said that eventually could lead to a referral to the Security Council. And so, we come back to this compounding moment where Iran is in full breach of the JCPOA commitments. It apparently has been, and continues to be, in breach of the NPT compliance commitment. And it's also obviously engaged in a wide range of violent activities. If you're the British government, how do you stand by and let this happen without supporting some sort of accountability with meaningful sanctions and restriction being re-imposed on Iran?

DUBOWITZ: So, Andrea, Before I go to you about IAEA next steps, David, maybe we could just circle back, talk a little bit about Iran's breakout time is today. What does the nuclear weapons program look like? And how many nuclear weapons could Iran produce if it chose to do so, given its existing enrichment stockpiles?

ALBRIGHT: The current report makes clear that Iran has a substantial stock of low enriched uranium. And what does that do? It's a jump start on making weapon grade uranium, which is what you want for a bomb. With that stock of LEU, with their present capacity to make centrifuges, we were estimating that the breakout time has dropped down to about three, three and a half months. And that's the amount of time they would need if they started today, to end up with 25 kilograms of weapon grade uranium. Which we would judge as more than sufficient for a first nuclear weapon.

Obviously, we don't fear they're going to do that right now. It's a benchmark. It's also true that they don't, I don't think, they have enough for a second staunch of weapon grade uranium sufficient for a bomb. Perhaps in another three months they will, maybe make it six months, and they will.

So, I think they will be, unless this is settled, will be gathering more and more LEU. Now, how does one look at the bomb program in Iran? The bomb program that is represented in the nuclear archive that existed in the early 2000s was a crash nuclear weapons program to build five nuclear weapons over four years. So, the Iranian program would be delayed, but by the middle of 2000's, they fully expected probably to have their first nuclear weapon.

Events didn't go well for them under international pressure, threats, implied threats of invasion by the United States. They ratcheted down that program, but didn't end it. And that's also in the archive. So, what does it look like today? I think our best model is that it's a program, not so much, not a structured nuclear weapons program, like what you would find in France or India, or even in North Korea today. But a program that wants to be ready. A program that is probably thinking through that if the leadership makes a decision to build the bomb, are we going to be able to produce it within a fixed timeframe?

We obviously don't know their timeframe. But I would imagine that they're looking to have that timeframe coming down to months, not years. And what does the program look like? Well, it looks quite a bit like what the Taiwanese nuclear weapon program looked like in the mid-eighties. It's composed of safeguarded nuclear facilities, like Natanz, Fordow. They're not secret sites to make uranium, but they have a potential in Iran to make secret sites, to make uranium. They may want to make the final push to weapon grade uranium from low enriched uranium in a secret site. But they have that capability to build such a site now.

They also have super-secret sites or activities more than likely, just like Taiwan certainly did. Where they can do codes, work on computer codes of nuclear weapons. They can make sure they can have the components, their stockpile were made. We know part of that program is headed by Mohsen Fakhrizadeh, who headed the program in early 2000. He has what appears to be an office in the Ministry of Defense that collects and keeps all that what we would call the super-secret part together and functional.

And so, I think what you have is a program today that wants to be ready to build nuclear weapons. If the order is given to do that. And our job is to make sure that he's looking at two, three, four years before it's completed, rather than three to six to nine months. And I think right now Iran is doing the things to get back to the point where it feels it could make it relatively quickly. And I would throw in, we were going to hit this time anyway. I mean, this is the kind of thing that would happen at year 10 to 15 of the JCPOA if it stays in effect. So, in a certain sense, this plan, I think that is in the Iranian system was going to play out no matter what. It's just being played out sooner rather than later.

DUBOWITZ: So, Andrea, let me ask you, I mean, obviously now, if this goes to the IAEA Board of Governors, it's set to start meeting on week June the 15th. What should the board of governors do next? How should they address this issue?

STRICKER: Well, ideally the Board would pass a resolution next week, urging Iran first to comply with the request for access to sites and to cooperate with the answering questions about the undeclared nuclear material and activities. This may not occur though given the current dynamics. The Board would require a two thirds majority to pass a resolution. The folks I've spoken to don't even want to speculate on the odds right now. So, I'm guessing they're trying to make it happen.

But, we have countries like Russia that are trying to protect Iran's interests and maintaining the JCPOA for the U.S. presidential election. We also have the E3 that's being fairly quiet on the access issue. And unfortunately, Iran can use its nuclear expansion as blackmail in order to try to deter the Board from taking swift action. But it's worth pointing out that the Board has acted collectively to pass 12 separate resolutions since the discovery of Iran's once secret nuclear sites in 2002.

So, I think at the very least, we should hope for a strong statement from the Board meeting even if a resolution that is unlikely. But Iran also faces a difficult choice about opening up its program to scrutiny. And for that reason, the U.S. needs to work to rebuild a coalition of pressure with its allies starting with next week's meeting. And it will be key to keep hammering home the message that the JCPOA is a separate issue from its basic safeguard's obligations under the NPT.

DUBOWITZ: And Rich, I'm going to ask you from your perch at the White House last year, you obviously were following these issues very closely. Now that you're out of government and you continue to follow it in a lot of detail, how should the U.S. respond to these concerns on safeguards compliance? What's the U.S. play now?

GOLDBERG: Well, first of all, I think it's to reaffirm what Andrea just said. I think that you have to push for a Board resolution in this upcoming Board meeting. And I think that has to express strong concern that Iran is noncompliance with its safeguard's agreement, the additional protocol, and fundamentally, the NPT. And if they fall short of that, I think that is pointing.

Russia and other defenders of Iran will try to distract the debate and say, this is all historic information. They're trying to cook things up that don't exist anymore. That is completely false and should be rejected by our European allies and all our like-minded nations with an active investigation into where currently held nuclear material is inside Iran. That is what a safeguard investigation is. And so, this is an active investigation, currently undeclared nuclear material and activities, currently undeclared nuclear sites, that has to have accountability.

The additional protocol, if it has to be defended by the Board cannot be something that is implemented only sometimes. It has to be implemented all the time. So, you can't pick and choose when the IAEA comes and says, "We would like a complimentary access request now at some site." You can't say, "Well, we've allowed safeguards inspections 95% of the time, we've only turned them down 5% of the time." Well that's called noncompliance. And so that has to be held accountable and any disinformation from Russia should be rejected. That's the IAEA trend that should continue. Because as David has pointed out, we need more information. Where is everything today? What's going on? Those questions have to be answered and pursued to the end.

But we also have a simultaneous track that's already ongoing at the UN Security Council and potentially action there this summer. We have the expiration of the first sunset clause with JCPOA in October with the arms embargo sun setting. But we have other expiration's that come afterwards in coming years. We have this expanded enrichment going on inside Iran and the breakout time lowering, and now it's safeguards crisis. And so, if the Trump administration does move forward with the Security Council with its attempt to first extend the arms embargo and then potentially snap back based on Iran's noncompliance with the JCPOA, you now have an additional element layer on top of that. I think our European allies cannot ignore the security council. And so, snapback really is consequential at this point in important to move forward.

DUBOWITZ: And David, obviously this is, the reports really underscore the whole debate we've been having others have been having for many years about whether Iran should be allowed any levels of enrichment. Do you want to comment on that? It's certainly the Trump administration policy as articulated by Secretary Pompeo and his 12 points that Iran should not have any enrichment. There were multiple UN Security Council resolutions talking about Iran fully suspending its enrichment. The fact that Iran can enrich and produce fissile material on its own soil is clearly at the heart of the concerns that the IAEA has and that the United States has. Talk a little bit about whether Iran should be allowed any level of enrichment going forward as we think about a future deal.

ALBRIGHT: Yeah. And I must confess, I supported the JPOA. The idea was that Iran would have a centrifuge program. But times have changed and what's become very apparent in its program is that it's never going to be economic. I mean, if you look at their plans in the past, they were going to produce oil enriched uranium for nuclear power reactors it was going to be a viable civil program. It'll never do that.

I mean, we know now from lots of data on their gas centrifuges, they just don't work well. They'll never compute with just simply buying enriched uranium from Russia or the European consortium, Urenco. And in that sense, this is not a civil program. Okay. And it's a colossal waste of money for sure. But unfortunately, clunky centrifuges can make weapon grade uranium. You don't need nearly as many to make weapon grade uranium for nuclear weapons of the scale Iran would want. Compared to how many centrifuges she would need to make low enriched uranium for the Bushehr reactor or Bushehr two and three.

And so, you can get by with a really lousy centrifuge program. And what we really have here is a centrifuge program that really should be defined. And I would say politically defined as a military program. And then in that sense, can Iran be trusted? And one has to look at its violations and the current violations. And the lack of cooperation with International Atomic Energy Agency. And you have to conclude, and it's just too dangerous.

Now, what are the precedents? I mean, it's not an easy thing to tell a country you can't do something like enrich uranium. And I would say the biggest precedent is a country like Taiwan. Where the nuclear program in Taiwan was just ripped out root and branch by U.S. intervention. Done diplomatically, but it was done very aggressively in 1988. And it shut down a research reactor and a nuclear weapons program. And that the equivalent would be Iran's uranium enrichment program and its nuclear weapons program. And I think that's really what the world needs to do today. How to do that, I'm not clear. But I think particularly with this IAEA report that Iran is not complying, that it's time to move, that it's time to rip out Iran's sensitive nuclear program root and branch.

DUBOWITZ: Well, David that's a good point. I mean, I think there's about 20 countries in the world that have civilian nuclear programs, but don't enrich or reprocess, buy the nuclear fuel from abroad. And it's also interesting that your example of Taiwan, which actually gave up its program, despite the fact that Taiwan obviously faces a significant threat

from the Chinese Communist Party. It's hard to argue that the Islamic Republic faces an equivalent threat to its existence from any of its neighbors. So, I want to ask you Rich, just as we think through it as we go forward on this, we've talked a lot about snapback, you've written a lot about snapback. Talk about the practical procedures, the legalities at the UN Security Council that the United States should be considering, and also what the political considerations, particularly with the upcoming U.S. election about the feasibility of a snapback.

GOLDBERG: Yeah, both very important. First of all, on the legal procedural side of how snapback occurs, UN Security Council Resolution 2231, which was passed as an endorsement of JCPOA, also is where a sunset provision, including the arms embargo expiring are enshrined into international law, also provides for an ability for any of the original JCPOA participants, as defined in the Resolution, including the United States and others, if ever there is a country like Iran that is in significant non-performance of its JCPOA commitments, one of those original participants can send a letter to the Security Council complaining about the non-performance by the other country, in this case, Iran. And that starts a 30-day clock where if the Security Council, in those 30 days, does not pass a Resolution to say, yes, this country is in noncompliance, but we want to keep this Resolution enforced, or perhaps in 30 days, the country comes back into compliance and you want to overrule the triggering of the snapback procedure.

If that Resolution doesn't pass, then 30 days after that letter gets sent, all of the prior resolutions on Iran come back into force that were sunsetted out by 2231. And so, you go back to 2010 and before that certain resolutions that required that Iran halt all enrichment activities, that Iran was outright prohibited for any testing of its ballistic missiles that were capable of carrying nuclear warheads, and also other provisions, like the arms embargo, international support to its missile program, travel restrictions, asset restrictions, all come back into force indefinitely without any expiration dates in the future.

And so, as we actually think about something David said on resetting and the tearing out Iran's program by the roots and denying it this legitimacy that 2231 provided it to allow Iran to enrich uranium and to conduct other nuclear activities in the future, this reset back to prior resolutions and prior restrictions will be very important for whoever wins the November election.

Obviously, if it's President Trump winning reelection, he does not want to see the arms embargo expire. He wants to increase his leverage and the maximum pressure campaign. And therefore, you deny Iran the strategic benefits of the JCPOA by moving forward with snapback and re-imposing these restrictions, and also resetting the international standard to no enrichment based on the Security Council Resolution.

If Joe Biden wins the election, he too benefits from a snapback. Now, politically, he may not be able to say that, but the truth is, is that if he comes in in January, and Iran's enrichment program is full blown, they have a full blown safeguards crisis of the IAEA, but the arms embargo had expired and they're already signing contracts with Russia and China for advanced fighters, tanks, and Naval platforms, he's in a very weakened position to try to approach the Iranian regime and say, hey, let's get back into JCPOA. We're ready to go.

Inevitably, he would be funding and financing through sanctions really, Iranian purchases of advanced arms from Russia and China, while ignoring a full-blown safeguards violation of the IAEA. And so, I think that that is very much complicated for a new administration in its first 100 days to deal with. Much better to have the benefit of the maximum pressure campaign sanctions and a reset of all the strategic restrictions on Iran to then approach the Iranian and say, "We have a problem, you have a problem at the IAEA with your safeguards compliance. We are going to enforce all the restrictions of the Security Council, and I know you want sanctions relief, so we're willing to talk, but things have changed

since we negotiated the JCPOA. We've learned about your archive. We've now learned about undeclared nuclear material at different sites. And so, our terms have changed as well. We're willing to negotiate, but we're going to start anew, and it's going to start with full accounting of your past and current activity."

DUBOWITZ: So, I want to ask Andrea, actually, if we could just detour a little bit, because David brought up a very good point and I think it's been lost in the debate. This notion that somehow Iran's nuclear program had been contained, pathways to nuclear weapons have been permanently cut off. And all of you have talked about sunsets. And I just want to make sure that for our viewers, they understand the role of sunsets in the JCPOA.

So, Andrea, let me go to you. Could you just outline exactly what those sunsets are? What are the timelines for the disappearance of restrictions? Because, I think that there seems to be, in the debate we forget that Iran actually was taking patient pathways to an industrial sized nuclear program with potentially near zero nuclear breakout and an easier clandestine sneak out power via these advanced centrifuges that in fact there was a point in time at which Iran was going to be exactly in the position that it is today and is heading towards in year zero nuclear breakout.

But Iran would be in a much stronger position at that time, economically, politically, regionally, and certainly would be poised at that point to at least have the option as David said, to pursue a nuclear weapon or multiple nuclear weapons. So, remind us just again, what were the sunset provisions and what could Iran do, taking advantage of their disappearance?

STRICKER: Right. So, this year, as Rich mentioned, the arms embargo sunsets, and that's a prohibition on Iran's ability to legally import conventional military wears equipment and to export it, which we know it does to its proxies around the region. So that's the first sunset, and it's actually hard to believe that we're already here. I feel like we've been talking about this for years and it's finally coming.

The next ones will be in 2023. And they cover Iran's legal ability to import or export missile related goods. So, they could import missile systems and things like that. And we know they've been working on their missile program this whole time. And the concern is that with all that work, with additional assistance and equipment imports, they could marry an enrichment capability with what we believe is a hidden weapon station capability and then put that on a long-range missile as a nuclear weapon.

And then in addition, the international community through the JCPOA had sanctioned Iran to be able to legally have an industrial enrichment program beginning also in 2023. So, they hoped by year eight of the JCPOA that Iran was somehow going to be a responsible actor. It could expand its enrichment program. And so, it's allowed to start redeploying these advanced centrifuges under the JCPOA and it can legally do so rather than what it's doing now, which is doing it ahead of time anyway, but the point is under the JCPOA it was allowed, it was permitted, it was encouraged. And by, I believe, year 13 of the deal, they would essentially have no time required to make a nuclear weapon. You would never be able to detect it. It would take days to reach the weapon grade uranium that they would need.

DUBOWITZ: So, David, let me go to you that, from a technical point of view, how much better or worse is Iran off today in terms of its nuclear capabilities than they would have been in 2025 or 2027, as those restrictions went away and Iran was able to industrialize their program? We can talk about how much better off they were economically or regionally or politically as a result of the sanctions disappearing and the economy recovering hundreds of billions of dollars in oil exports and foreign direct investments and increasing their regional posture. But in terms of the actual

technical nature of the program, Iran's nuclear program capabilities today versus in say 10 years time. Can you give us an assessment of that?

ALBRIGHT: Well, if the JCPOA has played out, you'd really be facing a legitimize large centrifuge program, I would argue, with incredibly on economic, but it would have been seen as legitimate, and it would grow to the point where it could have very short breakout timelines.

Andrea mentioned ultimately you reach a point where they could break out faster than what the IAEA could detect. And worse, you'd have a situation where what we think is their secret parallel nuclear weaponization program would have had another 10 years to develop capabilities and get ready. Missile program would be much more developed and legitimized. And so, you would have faced the situation that you probably couldn't stop. It would be like the efforts to stop Pakistan in the 1990s.

It just had its own dynamic. It was just too far along. And it just really wasn't possible to stop Pakistan from fully weaponizing with nuclear weapons. And so, what the world has now is a new opportunity, and I would say a responsibility, to this time get it right. And one of the, from my point of view, as a nuclear specialist worried about reputation, the JCPOA negotiators tried to side step the one issue that cannot be sidestepped in these proliferation cases, we need to know if the country intends to make nuclear weapons. We need to know it has secret nuclear weapons activities. We need to know its history. The history tells us the present and that was sidestepped. And that's what's come back to haunt this whole thing now.

But I would say that if you're dealt lemons, make lemonade out of it, and we now have new opportunities to try to fix this. Rich mentioned that one of the new conditions that has to be imposed on negotiations is that we get to the bottom of Iran's nuclear activities. And I would agree fully with that. Then if we know Iran doesn't plan to build nuclear weapons, has really accounted for its past. Then you can make the decision, do we trust it with certain nuclear technologies? Probably most people would say, no, not with enrichment. Maybe 10 years from now let's talk about it again, but in the short term, no.

So, I think what's happened, and I think everyone knows I was for trying to fix this deal, in essence, wait a little longer, but what I think has happened is that it's better to move now. We have more chance of success by moving now than if we'd waited. Certainly, if we'd waited until the sunsets of the JCPOA expire. I think at that point you probably couldn't have done anything if Iran had decided to build nuclear weapons. Now I think we can do things, but it's going to be a challenge and hopefully the world is up for it.

DUBOWITZ: Rich, let me ask you, you mentioned if President Trump is reelected he'll continue the maximum pressure campaign. He's also made it very clear, including just a couple of days ago, that he's eager to sit down with Iran to negotiate a new comprehensive agreement. But what I found interesting, I went to Joe Biden's campaign website, and I went specifically to look at the language on Iran, and what it says there actually surprised me to some extent, because Vice President Biden seems to have been speaking for the past number of months about a return to the JCPOA, that many other Democratic candidates for president were talking about a return to the JCPOA, but in carefully worded language on the campaign website, it actually says that a Biden administration would return to a diplomatic agreement if Iran were to return to its JCPOA obligations.

So interesting, they don't actually say explicitly that a Biden administration would return to the JCPOA itself, but to a diplomatic agreement. Can you unpack that for us a bit? What do you think the Biden administration has in mind there?

Is that just campaign rhetoric on a website and no one was careful enough to actually frame it, or do you think they thought very carefully about how that language would be presented and that they may have something else in mind?

GOLDBERG: Well, I think that it's probably mixed views inside of the Biden camp. You have some people who worked very closely on JCPOA. You have people who may have been more skeptical of JCPOA but supportive of it after it was completed. And so, I think the Vice President would have as president, a lot of options in front of him. Does he just simply say, we will go back into JCPOA, which means we will lift all the sanctions re-imposed by the Trump administration, all you need to do is down blend your enrichment over 300 kilograms, dump some heavy water, pull your centrifuges out of Fordow and stop your R&D. We're good to go. Let's get back on track.

I find that very difficult to believe because you'll enter that period with such a profound leverage increased because of the maximum pressure campaign, whether you oppose the decision of the Trump administration or not, you are now benefiting from that pressure and entering a new reality.

You're also entering this new reality of the safeguard's compliance concern. You've learned now about the archive, you've learned about undeclared nuclear material and sites. You probably don't know everything, since you're not currently in government. They don't have access to everything the Trump administration may know and what the IAEA may be investigating.

And so, I think a lot of that will change. You also would be coming in potentially in the midst of China and Russia trying to sell arms to Iran, which creates a whole new dynamic, not just with your relationship with Iran, but your relationship with China and Russia in your first 100 days, which would be very complicated with mandatory U.S. sanctions.

So, I think that they absolutely could be thinking about a different dynamic. They could be thinking about partial sanctions relief for partial commitments, they could be thinking about a return to more of the JPOA, the Joint Plan of Action, not the JCPOA, that was an interim deal where there were some sanctions relief for some commitments pending further negotiation. I think a lot of this is all very interesting, in some ways academic. If there is snapback before January, I think this idea of JPOA, I would personally oppose it. I don't think any sanctions relief, before full compliance is the right approach. I think that was part of the flaw of the JCPOA. But in general, I think that they would have a much stronger hand to negotiate some sort of other agreement. If that's their plan, if snapback has already occurred. If snapback hasn't occurred, the leverage really goes to Iran.

They've already banked one sunset. They're on track during your first term to bank another, if they just hang out a little bit. They're very good, the Iranians, at talking for the sake of talks and dragging out talks. And if they can get massive sanctions relief and recover their economy, and all they'd have to do is down blend some enrichment of some uranium from the LAU stock pile. That sounds like a pretty good deal for me, if I was Iran to hang on, to catch all the other sunsets. So, I think there's a lot of thinking that needs to be going on about not the politics of the JCPOA during the campaign, but how are you actually going to implement your policy in January, given all these dynamics? And that's why I continue to believe that snapback is in the Biden camp's best interests.

DUBOWITZ: Look, Rich, you raise an interesting possibility that what they may be talking about is a return to the JPOA, the Joint Plan of Action, which was the 2013 interim agreement. I thought maybe it would just take a couple of minutes in the closing segment of this webinar just to talk about the JPOA, because I think that's gone down the memory hole for a lot of people. Andrea, David, do you want to remind the viewers, what was the Joint Plan of Action specifically?

How it differed from the JCPOA? And is it a potential framework for a Biden administration to begin negotiations with Iran? And maybe a better framework than the JCPOA, or is Rich right? Is the fatal flaw of the JCPOA something that was actually inherently fatal and flawed in the interim agreement itself, which was really the surrender of domestic enrichment right from the beginning?

ALBRIGHT: Yeah, I would prefer not going back to the JPOA, because it kind of, it did legitimize enrichment. If you remember, it was, and it's hard to remember, it's a long time ago, but it essentially was focused on getting rid of this kind of, or neutralizing the stocks of near 20% enriched uranium, which were driving the breakout timelines down to just a matter of a month or so. And so, the JPOA kind of pushed the breakout timelines up to two to three months. And people could feel that in a sense, a crisis was over, but it didn't solve, I just think it's in a way, Rich has said this too, it didn't solve the problem, is Iran going to build nuclear weapons or not? And the JPOA and the JCPOA in a sense were agreements, fine if you want to do it this way, but it's an agreement to kick the can down the road.

And I don't think that works well with Iran, and it hasn't worked well in other contexts, in the North Korean context. And it doesn't mean that those deals are necessarily bad. It's just that events can happen that overtake the value of kicking the can down the road. And I would return that we need a new framework. We have a new opportunity here with new leverage, new thinking that has to get to a solution that eliminates Iran's ability to make nuclear explosive material, which ultimately is the long pole in the tent and accepts that yes, the IAEA needs to be able to do a much better inspection job. But we don't have to depend on them fundamentally to tell us that everything is okay, that this is really like Japan, not like Iran. And so, I think to get to that point is, it's going to take some new thinking.

Perhaps the Biden administration can do it. I worry that some of the same old people that created the JPOA and the JCPOA would come in, and they'll want to return to the same formulation. But they don't have to, and I think Rich raises some very good points that the world is changing and Iran's going to look very different in January than it did in 2016. And that hopefully they will come up with some new formulations. And find a solution that have been tried in other cases. We mentioned Taiwan, but there's been other cases: South Africa, Ukraine. I mean, you can get rid of the threat of nuclear weapons in countries, particularly middle power countries. But it does – you just have to say that nuclear energy or sensitive nuclear programs are not sacrosanct. They are expendable and that you need to push that. And I would say that's what we need now is to return to that principle of no enrichment, no reprocessing in regions of tension. Let me be diplomatic.

DUBOWITZ: Okay. Well, thank you. I think, unless anyone has any final thoughts that they want to add to that, I'd like to certainly thank everybody for participating in the discussion. Obviously keeping Iran from obtaining a nuclear weapon can and should remain a nonpartisan priority in Washington. So very much look forward to working with all of you on the issue. And for those watching the webinar, if you're not receiving updates from FDD, please visit fdd.org to subscribe to our work on the Iran program, China program, many of the issues that we cover at FDD. So again, thanks for much for joining us and we hope to see all of you soon.