John Kerry's Confident the IAEA Can Handle Iran, But Congress Isn't Buying It

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Secretary of State John Kerry assured lawmakers Thursday that the UN's nuclear watchdog would keep the U.S. informed about an ongoing investigation into whether Iran has pursued nuclear weapons in the past.

Testifying before the Senate Foreign Relations Committee, Kerry conceded that the U.S. did not possess the text of the agreement that allows the International Atomic Energy Association to inspect Parchin, an Iranian military site suspected of hosting nuclear weapons development, and to answer broader unresolved questions about possible efforts by Iran to create nuclear weapons. However, he told lawmakers that he had been briefed by the IAEA on the process and would relay details to Congress.

“The IAEA has said they are satisfied that they are able to do this in a way that does not compromise their needs and that adequately gets the answers they need,” said Kerry. “We’re perfectly prepared to fully brief you in a classified session.”

Secretary of Energy Ernest Moniz, testifying alongside Kerry, told lawmakers that it is “customary confidentiality” for the IAEA to keep documents pertaining to investigations private.

Kerry and Moniz’s remarks came in response to a question by Sen. Bob Menendez (D-N.J.), who asked the officials to confirm that Iran will be responsible for providing samples from Parchin to the IAEA to test for traces of nuclear activity. “Because if that is true, that would be the equivalent of the fox guarding the chicken coop,” he said. Kerry declined to answer Menendez’s question directly in the public hearing.

The IAEA [announced](https://www.iaea.org/newscenter/pressreleases/iaea-director-generals-statement-and-road-map-clarification-past-present-outstanding-issues-regarding-irans-nuclear-program)  a roadmap to resolve outstanding issues related to Iran’s nuclear program on July 14, the same day the broader nuclear agreement was announced.

But the confidential nature of the roadmap was not immediately clear to lawmakers. Rep. Mike Pompeo (R-Kan.) and Sen. Tom Cotton (R-Ark.) first raised the issue earlier this week after visiting the IAEA in Vienna and confirming that they would not be privy to the text of the agreement with Iran.

“Secretary Kerry approved the nuclear deal with Iran without even reading the entire agreement," Pompeo said Wednesday after exiting a classified briefing with Kerry and two other Obama administration officials. "It is essential for Secretary Kerry to know what’s in the deal, and it is essential for the U.S. Congress to know what’s in this deal. We owe it to the American people to read the full deal and then make the right decision based on all the facts.”

The lack of direct U.S. involvement in the inquiry into Iran’s past history with nuclear weapons will be one of the most difficult obstacles for the Obama administration to overcome in convincing lawmakers to support the nuclear agreement reached between Iran, the U.S., and five world powers earlier this month. Fearing being sidelined on the Iranian nuclear issue, lawmakers voted in May on an overwhelmingly bipartisan basis [to pass a law](http://www.huffingtonpost.com/2015/05/14/house-iran-bill_n_7286440.html) that requires the Obama administration to give Congress the complete text of the nuclear deal, including classified annexes.

When lawmakers first learned of the confidential roadmap between the IAEA and Iran, several accused the Obama administration of hiding information from Congress. Four Republican lawmakers sent a [letter](http://pompeo.house.gov/uploadedfiles/iaeasideagreementletter.pdf) to President Barack Obama Wednesday demanding copies of the text of the arrangement.

“Congress has what we have," State Department spokesman John Kirby told reporters. "They are asking for IAEA documents that are not in our possession.” He also downplayed the significance of the U.S. not being offered the text of the plan. “These kinds of technical arrangements with the IAEA are as a matter of standard practice not released publicly or to other states -- but our experts are familiar and comfortable with the contents.”

During Thursday’s hearing, lawmakers pounced on Kerry and Moniz for accepting a limited U.S. involvement in IAEA's investigation. Sen. Johnny Isakson (R-Ga.) pointed to the fact that the U.S. funds a quarter of the watchdog's budget and asked why Americans are banned from serving as IAEA inspectors in Iran. Kerry noted that the absence of diplomatic relations between the U.S. and Iran is the primary reason Iran bans American inspectors from its nuclear sites.

Kelsey Davenport, director of nonproliferation at the Arms Control Association, described the lawmakers’ demands that the U.S. be privy to its investigation as "unrealistic."

"As an independent organization, the IAEA's process should not be subject to approval of the P5+1 or the U.S. Congress," she said in an email, referring to the six-country team that negotiated the nuclear accord with Iran. "Nor should the IAEA be forced to disclose sensitive information that could also compromise Iran’s legitimate security concerns."

She added that the IAEA will ultimately be required to report its progress on the past military dimension issue to the U.N. Security Council, where the U.S. holds permanent membership.