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U.S.-Iran Tensions Escalate

Overview

U.S.-Iran tensions have escalated as the Trump Administration took several significant steps in its campaign of applying “maximum pressure” on Iran, and Iran responded. U.S. officials state that Iran-linked threats to U.S. forces and interests prompted the Administration to send additional military assets to the region. Yet, President Donald Trump, while warning Iran not to take action against the United States, has said he prefers a diplomatic solution that would lower tensions. Members of Congress have received additional information from the Administration about the causes of the uptick in U.S.-Iran tensions and Administration planning for further U.S. responses. Some in Congress have sought to minimize the potential for the tensions to escalate into conflict.

Recent Administration Steps to Pressure Iran

The developments that contributed to the tensions include the following:

- On April 8, 2019, the Administration designated the Islamic Revolutionary Guard Corps (IRGC) as a Foreign Terrorist Organization (FTO). Iran’s parliament responded by enacting legislation declaring U.S. Central Command (CENTCOM) and related forces in the Middle East to be terrorists.
- As of May 2, 2019, the Administration ended a U.S. sanctions exception for the purchase of Iranian oil to try to drive Iran’s oil exports to “zero.”
- On May 3, 2019, the Administration ended waivers under the Iran Freedom and Counter-Proliferation Act (IFCA, P.L. 112-239) that allow countries to help Iran remain within stockpile limits set by the 2015 nuclear agreement (Joint Comprehensive Plan of Action, JCPOA).
- On May 5, 2019, citing reports that Iran might be preparing its allies to attack U.S. personnel or installations, National Security Adviser John Bolton announced that the United States was accelerating the previously planned deployment of the USS Abraham Lincoln Carrier Strike Group to the region and sending a bomber task force to the Persian Gulf region.
- On May 8, the President issued Executive Order 13871, blocking the U.S.-based property of persons and entities determined by the Administration to have conducted significant transactions with Iran’s iron, steel, aluminum, or copper sectors.

Iranian Reaction

Iran’s leaders have expressed intent to avoid conflict with the United States while indicating that Iran will respond if

attacked. Some Iranian statements have appeared provocative, including threats by the IRGC Navy Commander to close the Strait of Hormuz.

On May 19, a rocket was fired into the fortified “Green Zone” in Baghdad but caused no injuries or damage. Iran-backed militias were widely suspected of the firing, but no U.S. or Iraqi determination of responsibility has been announced. The incident came four days after the State Department ordered “nonemergency U.S. government employees” to leave U.S. diplomatic facilities in Iraq based on assertions that there is a heightened threat of Iranian allies acting against the United States there.

In the Gulf region, on May 12-13, the United Arab Emirates and Saudi Arabia asserted that four oil tankers and the Saudi oil pipeline infrastructure had been attacked. Iran denied involvement in the incidents, but on May 24, a Defense Department official attributed the tanker attacks to the IRGC. Some experts assert that the incidents in the Gulf and in Iraq were orchestrated by Iran to send a message that it can cause instability if provoked. On June 13, 2019, two tankers in the Gulf of Oman were attacked. Secretary of State Pompeo stated: “It is the assessment of the U.S. government that Iran is responsible for today’s attacks in the Gulf of Oman. These attacks are a threat to international peace and security, a blatant assault on the freedom of navigation, and an unacceptable escalation of tension by Iran.” The United States referred the matter to the United Nations Security Council.

The tensions affected Iran’s stance with respect to the JCPOA. On May 8, President Hassan Rouhani announced that Iran would no longer abide by JCPOA restrictions on stockpiles of low-enriched uranium and heavy water. He also announced that unless the European Union (EU) countries that have sought to preserve the JCPOA “fulfill their commitments” to provide economic benefits of the JCPOA within 60 days, Iran would resume additional aspects of uranium enrichment, including possibly enriching to a higher level of purity. On May 22, 2019, Iran’s Supreme Leader, Grand Ayatollah Khamene’i, said he had expressed to both leaders during JCPOA negotiations that he “did not really believe” in the way they handled the agreement. The statement suggests that Iran might pull out of the JCPOA entirely and that relatively moderate leaders are in eclipse. Yet, a late May 2019 report by the International Atomic Energy Agency (IAEA) indicated that Iran was still in compliance with its JCPOA nuclear commitments.

European Responses

The EU has sought to de-escalate tensions and urged Iran not to leave the accord entirely. A May 9 joint statement by the EU and the foreign ministers of France, the United

Kingdom, and Germany stated that “We reject any ultimatums” by Iran but, “At the same time we recall our own firm commitments under the agreement including as regards sanctions lifting...” Secretary of State Pompeo attended meetings with EU officials on May 13 to brief them on U.S. intelligence about the heightened Iranian threat, but, at the conclusion of the meetings, UK Foreign Secretary Jeremy Hunt stated, “We [EU] are very worried about the risk of a conflict happening by accident, with an escalation unintended really on either side.”

[The U.S. military deployments] send a clear and unmistakable message to the Iranian regime that any attack on United States interests or on those of our allies will be met with unrelenting force. Statement by National Security Adviser John Bolton, May 5.

What they [Iranian leaders] should be doing is calling me up, sitting down; we can make a deal, a fair deal. ... We're not looking to hurt Iran...But they should call, and if they do, we're open to talk to them. President Donald Trump, May 9.

If Iran wants to fight, that will be the official end of Iran. Never threaten the United States again! President Donald Trump, May 20, 2019.

Scenarios and Possible Outcomes

There are several directions the escalating tensions might take, any of which might involve congressional oversight, potential considerations of new sanctions, authorization or limitations on the use of military force, or congressional steps to support regional partners potentially affected by conflict. The IRGC's Qods Force (IRGC-QF) arms, trains, and advises allies and proxies throughout the Middle East region, including in Syria, Lebanon, Iraq, Yemen, and Bahrain. Accordingly, Iran and/or its allies have numerous ways to take aggressive action or counter U.S. actions. The published State Department report on international terrorism has consistently asserted that Iran and its key ally, Lebanese Hezbollah, have a vast network of agents in Europe, Latin America, and elsewhere that could act against U.S. personnel and interests far outside the Middle East.

Escalation. U.S. and Iranian officials have said they do not want armed conflict. However, leaders on both sides have said they will respond with force if the other attacks, increasing the potential for miscalculation to produce conflict. There are over 60,000 U.S. forces deployed to the region, including those stationed at military facilities in the Arab states of the Gulf Cooperation Council (GCC: Saudi Arabia, Kuwait, UAE, Qatar, Oman, and Bahrain). Press reports indicated that the Administration was considering a number of options to add forces—with reports ranging from a few thousand to several tens of thousands of U.S. military personnel—to deter Iran from any attacks. On May 24, the Defense Department said that the President has approved a plan to augment U.S. defense and deterrence against Iran by

deploying to the Gulf region an additional 900 military personnel, extending the deployment of another 600 that were sent earlier to operate Patriot missile defense equipment, and sending additional combat and reconnaissance aircraft. Should hostilities erupt, the United States has the capability to implement a range of options such as air strikes on Iranian targets.

Status Quo. The tensions could remain, but neither escalate nor de-escalate, particularly if the U.S.-Iran discourse remains mostly bellicose but without any further incidents.

De-Escalation. Iran could potentially try to de-escalate, perhaps by taking up U.S. offers to negotiate a broader, revised JCPOA, though U.S. demands for a new JCPOA are extensive and many see that as unlikely. A May 16 *Washington Post* report indicated that President Trump wants to de-escalate tensions, avoid conflict with Iran, and negotiate a revised JCPOA. Secretary Pompeo has reportedly sought to establish new channels of contact with Iran via Sultan Qaboos of Oman, with whom Pompeo talked on May 16, 2019. Japan's Prime Minister Shizo Abe sought to mediate a de-escalation during his visit to Iran on June 12-13, 2019, the first visit to Iran by a Japanese leader since the Islamic revolution. That visit followed one by Germany's foreign minister to Tehran in early June. Iranian leaders have said they would not engage in talks with the United States unless the United States resumes implementing the JCPOA. If Iran was responsible for the June 13 tanker attacks, this could suggest Iran does not intend to de-escalate.

Potential Implications for Congress of Escalation

With the chances of intended or unintended U.S.-Iran conflict seemingly heightened, the question of authorization for the use of military force against Iran arises. No legislation has been enacted authorizing the use of force against Iran, although successive Presidents have asserted legal and constitutional authority to initiate any military operation. Several efforts in the Senate to block the use of funds for offensive U.S. military action against Iran have not advanced. The Prevention of Unconstitutional War with Iran Act of 2019 (H.R. 2354/S. 1039) would prevent the use of funds for “kinetic military operations in or against Iran” except in case of an imminent threat.

Should the Administration assert authority to use force against Iran, another issue might be the justification for using existing authorizations. At a Senate Foreign Relations Committee hearing on April 10, 2019, Secretary of State Pompeo, when asked if the Administration considers the use of force against Iran as authorized, answered that he would defer to Administration legal experts on that question. However, he suggested that the 2001 authorization for force against those responsible for the September 11 terrorist attacks could potentially apply to Iran, asserting that “[Iran has] hosted Al Qaida. They have permitted Al Qaida to transit their country. There-there's no doubt there is a connection between the Islamic Republic of Iran and Al Qaida. Period. Full stop.”

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