Mr. Ackerman:

Mr. ACKERMAN. Thank you, Mr. Chairman for calling today’s

hearing. I want to welcome Under Secretary Burns back to the

committee, although I am sure we’re happier to have him back

than he is to be back. Mr. Chairman, a region that contains crises

of varying degrees everywhere you look, Iran still stands out as a

significant threat to regional stability and United States national

interests. Its pursuit of nuclear weapons, its desire to interfere

with and undermine legitimately-elected governments in Lebanon

and the Palestinian territories and its arming of Shia militias in

Iraq or warlords in Afghanistan, all speak to the need for the international

community and the United States to confront Iran’s regional

ambitions in a significant and coordinated way. That is why

last year the House passed legislation to tighten sanctions on Iran’s

oil sector and to encourage divestment in companies that do business

in Iran. These efforts are designed to convince Iran to abandon

both its effort to develop nuclear weapons and its support for

terrorist organizations like Hezbollah and Hamas.

In short, sanctions measures are an attempt to avoid war, not to

start it. So it is with puzzlement that I find that some have described

the nonbinding resolution that I have introduced, along

with Mr. Pence and co-sponsored by a majority of the House, urging

the President—to quote words from the resolution—‘‘increase

economic, political and diplomatic pressure on Iran.’’ They described

that as a resolution declaring war and calling for a naval

blockade. Nothing could be further from the truth or my intent.

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So I would like to take this opportunity to clarify what H. Con.

Res. 362 does and does not do. First, it is a concurrent resolution.

As my colleagues know, it doesn’t get presented to the President,

it doesn’t get signed and thus neither does it become law or have

the force of law. It is a sense of the Congress. Assertions that the

resolution constitutes a declaration of war are just absurd.

Second the final whereas clause of the resolution states as explicitly

as the English language will allow: ‘‘Whereas, nothing in this

resolution shall be constructed as an authorization of the use of

force against Iran.’’ Since a naval blockade is, by definition, a use

of force, the language of this resolution renders the prospect of a

naval blockade simply out of the question. The resolution should

not be the straw man that some would seek. Third the resolution

calls on the President to ‘‘initiate an international effort to immediately

and dramatically increase the economic, political and diplomatic

pressure on Iran.’’ To point out the obvious, there is no mention

of military pressure, much less a blockade and the effort the

President is called upon to make is international and diplomatic,

not unilateral and military.

Fourth, the resolution calls on the President to seek the international

community support for an export ban on refined petroleum,

not a blockade. Iran does not export refined petroleum products.

It imports them. Therefore an export ban on refined petroleum

would be enforced by Customs inspectors and export administrators

on the territories of exporting nations not in the Persian

Gulf. This method is already used by the international community,

including the United States, to enforce the four existing U.N. Security

Council resolutions imposing sanctions on Iran. And fifth, the

resolution calls upon the President to seek the international community’s

support for inspections of everything going into or coming

out of Iran. This step, like the petroleum export ban, neither mandates

nor requires a naval blockade to be put into effect. The inspections

called for would be done at ports of embarkation and disembarkation

and not by blockade.

And lastly, Mr. Chairman, the whole idea that the resolution

calls for a blockade can only be sustained by a determined refusal

to read the resolution or accept the plain meaning of the words

within it. Put simply, the only way to find a blockade or a declaration

of war in the text of H. Con. Res. 362 is to insert them by the

amending power of the imagination alone.

I thank the chairman for calling today’s hearing and I look forward

to listening to our witness.

Mr. ACKERMAN. Thank you very much, Mr. Chairman. Welcome

Ambassador. Nations that sometimes seem to be completely irra20

tional are sometimes very rational and carefully evaluate everything

they do and carefully consider all of their moves despite the

fact that we might not understand or appreciate that. Iran is no

such exception. In figuring out whether or not they should have a

nuclear program, I am sure they, like any business, imposes or employs

a cost benefit analysis to figure out what the costs are of

doing it and what the benefits are.

So far, they have had only benefits and no costs. The administration

has really failed to apply any kind of costs whatsoever. And

hopefully those costs would all be peaceful and economic. I have

never understood why the administration has not done that and allowed

us to get to the place that we are at right now. For example,

the administration has never implemented the Iran’s Sanctions Act

(ISA), even though nearly 20 international companies and consortia

had crossed the so-called red line of investing, at least $20 million

in Iran’s energy sector. That shows them that the benefits are all

there and the costs are not to be paid.

Could you explain why we have not imposed any of the sanctions

or any of the tools that the President has been given by the Congress?

Mr. ACKERMAN. Countries as civilized as Switzerland have announced

major investments on the part of private companies with

Iran. In fact, the Foreign Minister of Switzerland showed up for a

photo opportunity in Tehran at the signing of the $14-billion deal.

Is this not a reward for bad behavior? Have we made our position

clear with other nations that are part of the democratic and civilized

world and could you not find one deal on the entire planet

worthy of sanctions of all the deals that have been done? It is kind

of hard to believe that we have not imposed sanctions. Nobody on

this side of the Hill wants to see a war. And yet all of the diplomatic

and economic pressures haven’t been there. Can’t we find

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one? Is there not one that the administration believes is worthy of

high profile and sanctioning?

Mr. ACKERMAN. But saying it is disappointing and it is unacceptable

doesn’t do anything. We have given you some tools to use.

Mr. ACKERMAN. And they have not been employed.

Mr. ACKERMAN. Are we going to impose sanctions?

Mr. ACKERMAN. Any deal. Any deal.

Mr. Ackerman; I mean, maybe 1 percent of the time. But I agree

with him.

Mr. ACKERMAN. I will reevaluate my position.

Mr. ACKERMAN [presiding]. Mr. Scott.

Mr. ACKERMAN. Would the gentlewoman yield?

Mr. ACKERMAN. Would you add to the question for the Ambassador

and ask if he could respond, if he would, to the question of

whether or not the administration considers the resolution of which

we have both spoken about as a declaration of war, or interpret it

as calling for a blockade or enabling a blockade of Iran?

Mr. ACKERMAN. Ask unanimous consent that the gentlelady have

30 more seconds.