



May 16, 2019

U.S.-Iran Tensions Escalate

Overview

U.S.-Iran tensions have escalated in recent weeks as the Trump Administration has taken several significant steps in its campaign of applying “maximum pressure” on Iran, and Iranian leaders have announced responses. U.S. steps have included designating Iran’s Islamic Revolutionary Guard Corps (IRGC) as a Foreign Terrorist Organization (FTO), reimposing sanctions on any country that buys Iranian oil, ending sanctions waivers for some assistance to the permitted aspects of Iran’s nuclear program, and imposing new sanctions on transactions in some Iranian commodities. U.S. officials state that reports about potential Iran-linked threats to U.S. forces and interests prompted the Administration to send additional military assets to the region. Yet, press reports on May 16 indicate that President Donald Trump prefers a diplomatic solution to continued escalation that could lead to conflict.

Members of Congress have been requesting additional information from the Administration about the uptick in U.S.-Iran tensions. Congress might consider the broader Administration’s Iran policy or the potential for use of force against Iran.

Recent Administration Steps to Pressure Iran

Recent Administration efforts to increase pressure on Iran’s economy and government include:

- On April 8, 2019, the Administration designated the 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 remove Iranian heavy water and low-enriched uranium that exceed JCPOA stockpile limits.
- 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 U.S.S. 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. These commodities account for about 10% of Iran’s exports, but the exports primarily go to regional companies that might not be easily penalized by U.S. sanctions.

[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.

We don’t seek a war, and they don’t either. They know it’s not in their interests.

Iran’s Supreme Leader Grand Ayatollah Ali Khamene’i, May 14.

Iranian Reaction

Iran’s reaction to the U.S. steps appears to reflect an attempt to avoid outright conflict with the United States while indicating that Iran will not bow to U.S. pressure. Some Iranian statements have appeared provocative, including threats by the IRGC Navy Commander to close the Strait of Hormuz if Iran could not export any oil, but Iran historically has issued similar threats that are not followed by concrete actions. On the other hand, in May 2019, Iranian Foreign Minister Mohammad Javad Zarif’s offered to negotiate a swap of detainees held by both sides.

On May 8, President Hassan Rouhani announced that Iran would no longer abide by restrictions of the 2015 multilateral nuclear agreement (Joint Comprehensive Plan of Action, JCPOA) 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.

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, reportedly to brief the EU on U.S. information about alleged Iranian planning for attacks on U.S. interests in the region, but press reports indicate that EU officials are skeptical that actions by Iran represent a materially new threat. 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.”

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 that could be affected by possible conflict. Iran’s Islamic Revolutionary Guard Corps –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.

On May 15, the State Department ordered “nonemergency U.S. government employees” to leave U.S. diplomatic facilities in Iraq. This led to speculation that the Administration sees a heightened threat of Iranian allies acting against the United States there. In addition, U.S. Central Command issued a statement that recent comments of the Baghdad-based British deputy commander of Operation Inherent Resolve (OIR) “run counter to the identified credible threats” from Iran or allied militias in Iraq or Syria.

Escalation. U.S. and Iranian officials have said they do not want armed conflict. However, the tensions have the potential to evolve to that point, perhaps by miscalculation. Assertions on May 12-13 by the United Arab Emirates and Saudi Arabia that several of their oil tankers had been “sabotaged” or “vandalized” and reports of attacks on Saudi oil pipeline infrastructure signal the potential for any incident to raise the risk of a clash that may or may not escalate into wider conflict. Iran denied involvement in the incidents, but findings of responsibility for the tanker incidents have not been publicized.

A *New York Times* report on May 14 indicated that the Administration might significantly increase the U.S. force posture in the region if Iran attacks U.S. interests or takes steps toward developing a nuclear weapon. There are over 60,000 U.S. forces stationed in various military facilities in

the region, particularly in the Arab states of the Gulf Cooperation Council (GCC: Saudi Arabia, Kuwait, UAE, Qatar, Oman, and Bahrain). Press reports indicated that the number of forces might expand to up to 120,000 if the reported option is exercised. On May 14, President Trump dismissed the report, saying “We have not planned for that.” But he added that “If we did that, we’d send a hell of a lot more troops than that.” Whether the Administration adds forces to the region, 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 significant violent incidents that are attributed to either the United States or Iran.

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. De-escalation could also involve mediation by regional states such as Oman or Qatar, which have ties to both Iran and the United States. Qatar’s Foreign Minister visited Iran on May 15 reportedly to discuss de-escalation of the U.S.-Iran tensions. A May 16 *Washington Post* report indicated that President Trump wants to de-escalate tensions, avoid conflict with Iran, and negotiate a revised JCPOA.

Potential Implications for Congress of Escalation

The reports of Administration plans for possible military action against Iran reportedly prompted some in Congress to request that the Administration brief Congress on its Iran plans and policies, and Members might explore a number of questions in engaging executive branch officials.

One question is that of authorization for the use of military force against Iran. 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. 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’s no doubt there is a connection between the Islamic Republic of Iran and Al Qaida. Period. Full stop.” A relevant, pending item of legislation in the 116th Congress, 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 to repel or prevent an imminent threat to the United States.

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