

is considering the international agreement to prohibit Iran from obtaining nuclear weapons. The bipartisan bill—to give Congress a deliberate and constructive review of the final nuclear agreement with Iran—was drafted so that 60 votes would be required in the Senate to pass either a motion of approval or a motion of disapproval.

He continued:

We should follow the procedure that was explicitly discussed and agreed to when we voted on this act, which passed the Senate 98 to 1.

That is a direct quote from one of the authors of this legislation.

It was never any Senator's intention to forgo the 60-vote threshold.

Republicans are trying to pull a bait-and-switch that is born out of desperation. They haven't had a good August; let's face it.

Are Republicans stalling on this issue so they don't have to work with Democrats to keep our government open and funded? There wasn't a day that went by during the recess that we didn't have some Republican Senator talk about closing the government. Every time that happened, the Republican leader would say: Well, we are not going to do that. So there is a lot of talk among Republican circles about the Republicans doing everything they can to force votes on things that have nothing to do with funding this government long term. So are Republicans stalling on this issue so they don't have to work with Democrats to keep our government open and funded? Do they want to wait until the last minute to jam us with something?

Are Republicans stalling on this issue so they don't have to work with us on a bipartisan cyber security bill? Every day that goes by without legislation in this body is a day that bad guys are doing bad things to our businesses and to our country—stealing our names and addresses, trade secrets, everything they can, is what they are doing.

Perhaps Republicans are stalling on this critical legislation so they don't have to address our distressed infrastructure, insolvent highway system, crumbling roads and bridges?

I hope that instead of forcing the Senate to jump through unnecessary procedural hurdles, the Republicans will join with the Senate Democrats and agree to vote on final passage.

It takes a lot of nerve for the Republican leader, after the numerous speeches he has given about the 60-vote threshold on everything important—is he suggesting this Iran agreement is not important?

Let's hope that instead of forcing the Senate to jump through unnecessary procedural hurdles—in fact, the Republicans are filibustering their own resolution. I hope they will join with Senate Democrats and agree to vote on final passage.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 61, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 61) amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The majority leader.

#### AMENDMENT NO. 2640

Mr. MCCONNELL. Mr. President, I have a substitute amendment at the desk that I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2640.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike line three and all that follows and insert:

That Congress does not favor the agreement transmitted by the President to Congress on July 19, 2015, under subsection (a) of section 135 of the Atomic Energy Act of 1954 (42 U.S.C. 2160e) for purposes of prohibiting the taking of any action involving any measure of statutory sanctions relief by the United States pursuant to such agreement under subsection (c)(2)(B) of such section.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 2641 TO AMENDMENT NO. 2640

Mr. MCCONNELL. I have an amendment at the desk that I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2641 to amendment No. 2640.

The amendment is as follows:

At the end add the following.  
"This Act shall take effect 1 day after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 2642 TO AMENDMENT NO. 2641

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2642 to amendment No. 2641.

The amendment is as follows:

Strike "1 day" and insert "2 days".

#### AMENDMENT NO. 2643

Mr. MCCONNELL. I have an amendment to the text proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2643 to the language proposed to be stricken by amendment No. 2640.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 2644 TO AMENDMENT NO. 2643

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2644 to amendment No. 2643.

The amendment is as follows:

Strike "3" and insert "4".

#### MOTION TO COMMIT WITH AMENDMENT NO. 2645

Mr. MCCONNELL. I have a motion to commit with instructions at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to commit the joint resolution to the Foreign Relations Committee with instructions to report back forthwith with an amendment numbered 2645.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 5 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 2646

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2646 to the instructions (amendment No. 2645) of the motion to commit H.J. Res. 61.

The amendment is as follows:

Strike "5" and insert "6".

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2647 TO AMENDMENT NO. 2646

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2647 to amendment No. 2646.

The amendment is as follows:

Strike "6" and insert "7".

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, I ask unanimous consent that the pending amendments, with the exception of the McConnell substitute amendment, be withdrawn; that no other amendments, points of order, or motions be in order to the joint resolution or the McConnell substitute prior to the vote on the McConnell substitute; that at 5:30 p.m. on Thursday, September 10, the Senate proceed to vote on the McConnell substitute amendment; that the amendment be subject to a 60-affirmative-vote threshold; further, that if the McConnell amendment is agreed to, H.J. Res. 61, as amended, be read a third time and passed; that the time today until 5 p.m. be equally divided between the two leaders or their designees; that following leader remarks on Wednesday, September 9, until 6 p.m., the time be equally divided between the two leaders or their designees; and that following leader remarks on Thursday, September 10, until 5:30 p.m., the time be equally divided between the two leaders or their designees.

Mr. President, that is my unanimous consent request.

Let me say a brief word, and I will turn it over to my friend the Republican leader.

If the Republicans want more debate time, they can have it, but I think 3 days would be adequate. There is a definite time for doing this, and I think that is important.

If anyone thinks this is not a serious issue, I don't know what could be a serious issue. Based upon the underlying foundation that has been laid by my friend for these many years, this is going to require a 60-vote threshold. Everyone knows that. This goes back long before this dialogue started today on the floor. It has been going on for some time, as my friend the assistant Democratic leader, when he has an opportunity to address the Senate, will discuss.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Thursday, September 10, at 3 p.m., the substitute amendment to H.J. Res. 61 be agreed to, the joint resolution, as

amended, be read a third time, and the Senate vote on passage of the resolution, as amended.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I also want to propound the following request. I ask unanimous consent that if cloture is invoked on the substitute amendment to H.J. Res. 61, the amendment be agreed to, the joint resolution, as amended, be read a third time, and there be 4 hours of debate equally divided between the two leaders or their designees, and that following the use or yielding back of time, the Senate vote on passage of the resolution, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, for all the reasons I have mentioned previously and the fact that I believe the Republican leader is way ahead of himself, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, this has been one of the most extraordinary measures that has come before the Senate in the time that I have served here. It is rare to have an issue of this historic moment, of this importance, one that literally raises a question about war and peace in the Middle East, and one that has been considered so carefully by both sides of the aisle for such a long period of time.

When I left for the August recess, here in the Senate most of the Members on my side of the aisle—the Democratic side—were still processing and reviewing the proposed agreement. And, over the course of August, these Members announced their public positions on the matter.

As of today, there are 41 of the 46 Democratic Senators who have announced they will support the Iran agreement. There are another four who are opposed to it, and one who is yet to announce her position. We expect that to happen shortly.

This is a unique matter. I asked my staff and others to research one particular aspect of this debate. The aspect I asked them to research was a letter sent on March 9 of this year by 47 Republican Senators. Forty-seven Republican Senators sent a letter to the leader of the Islamic Republic of Iran, the Ayatollah.

To take you back in history, at that point in time when 47 Republican Senators sent that letter, the United States of America was in negotiation with Iran to see whether or not we could come to any kind of an agreement or understanding when it came to limit Iran's development of a nuclear weapon, something that I am sure all of us—both political parties—want to stop from happening. But in the midst of this delicate negotiation that was going on in Switzerland, 47 Republican Senators, including every Member of

the Senate Republican leadership, sent a letter to the Ayatollah in Iran. It said:

It has come to our attention while observing your nuclear negotiations with our government that you may not fully understand our constitutional system. Thus, we are writing to bring to your attention two features of our Constitution—the power to make binding international agreements and the different character of federal offices—which you should seriously consider as negotiations progress.

Forty-seven Republican Senators wrote to the Ayatollah in the midst of these delicate negotiations. It went on to say:

First, under our Constitution, while the president negotiates international agreements, Congress plays the significant role of ratifying them. In the case of a treaty, the Senate must ratify it by a two-thirds vote. A so-called congressional executive agreement requires a majority vote in both the House and the Senate (which, because of procedural rules, effectively means a three-fifths vote in the Senate).

Forty-seven Republican Senators are advising the Ayatollah in Iran, in March, that he should know more about our constitutional form of government and understand that it will take Senate approval, which they say effectively means a three-fifths vote. They continue:

Anything not approved by Congress is a mere executive agreement.

Second, [the 47 Republican Senators advised the Ayatollah] the offices of our Constitution have different characteristics. For example, the president may serve only two 4-year terms, whereas senators may serve an unlimited number of 6-year terms. As applied today, for instance, President Obama will leave office in January, 2017, while most of us will remain in office far beyond then—perhaps decades.

Then the 47 Republicans Senators, in their March letter to the Ayatollah of Iran, say:

What these two constitutional provisions mean is that we will consider any agreement regarding your nuclear-weapons program that is not approved by the Congress as nothing more than an executive agreement between President Obama and Ayatollah Khamenei. The next president could revoke such an executive agreement with the stroke of a pen and future Congresses could modify the terms of the agreement at any time.

We hope this letter enriches your knowledge of our constitutional system and promotes mutual understanding and clarity as nuclear negotiations progress.

Forty-seven Republican Senators in March of this year, writing to the Ayatollah and basically telling him: Don't get your hopes up if you are negotiating with the United States, reminding him they will have the last word as Members of Congress, and also stipulating that a three-fifths vote will be required in the U.S. Senate.

Then they go on to say: Keep in mind we are going to be here a lot longer than any President; we may be the last person or the last group to make a decision on the future of these agreements. Then they are basically reminding them that Presidents come and go, and don't assume the next President

will even honor an agreement reached by this President.

Think back 12 years ago. What if 47 Democratic Senators—in the midst of our negotiation as to whether or not we should invade Iraq—had sent a letter to Saddam Hussein saying: Don't negotiate with President Bush. Don't pay any attention to his negotiations. We are the Congress. We will have the last word.

I cannot imagine what the public response would have been, but that is exactly what happened here—47 Republican Senators intervening in a negotiation process with Iran, basically telling those sitting at the table: Don't worry about reaching an agreement with the United States of America and this President.

I know what would have happened if that would have come up when Dick Cheney was Vice President of the United States. We would have had 47 Democrats up on charges of treason.

Well, in this circumstance, this was not good judgment. I would like to stipulate that the chairman of the Foreign Relations Committee did not sign this letter. I want to make sure that is clear on the floor. But the 47 who did have to answer a question: Why? When we are in delicate negotiations as the United States of America, and we don't have a final agreement, why would 47 Republican Senators want to intervene in those negotiations? Why would they want to say to the Ayatollah: Don't waste your time negotiating with this President.

It is troublesome. Many of them had reached a conclusion even before the agreement was written that they were going to oppose it. Witness this letter.

But others took time to consider it, to measure it, and to announce their position when it came to this matter. I respect them for doing that, even if they came to a different conclusion than I did. I know what happened on our Democratic side because I was in contact with virtually with every Member of our Senate Democratic Caucus during the month of August, talking to them about this.

There is real soul-searching here, real serious consideration. Some of them, of course, went to the source, met with our intelligence agencies, the State Department, Department of Defense, and came back to Washington when we were in recess. One Senator I know sat down for 5 hours in closed meetings with our intelligence agencies to ask questions that were on his mind about this agreement.

Others, of course, met with their constituents, talked about it, found differences of opinion within their own States. They thought about it long and hard, prayed over it.

I talked to them, always wanting to hear where they were, but never pushing them because I knew this was serious, and they took it seriously. That is where we find ourselves today.

I salute the Senator from Tennessee. As the chairman of the Senate Foreign

Relations Committee, he and I may disagree on substance, but I respect him very much. He is a man of honor and a man of integrity, and he brings to this process the kind of attitude toward the Senate as an institution which I respect and I will continue to respect.

I also believe my colleague from Maryland, a close personal friend, Senator CARDIN—though we see this issue differently—has really thought long and hard about it. We have been on the phone together many, many times during the course of August. I ruined a lot of his vacation trying to figure out where he was and what his process was. He took it very seriously. I respect him, although we came out to different positions on this matter.

That is the way it should be, and what the American people expect of us now is a debate befitting this great institution of the Senate. They expect us to come and conscientiously consider this matter on its merits and express our points of view, and virtually every Senator has already done that publicly, save one. In the course of this debate, the American people can follow it because it is a critical debate. What is at issue here is whether Iran will develop a nuclear weapon.

We believe that they have the capacity now to create as many as 10 nuclear weapons. We don't want that to happen. It would be disastrous for the world—certainly disastrous for the Middle East and Israel—and that is why leaders from around the world, 100 different nations, support what President Obama is striving to do.

What the President is trying to do is something I believe should be the starting point in every critical foreign-policy decision: Use diplomacy, use negotiation, and try to solve our problems in a thoughtful, diplomatic way. And if that fails, never rule out other possibilities, but start with diplomacy. That is what the President has done.

During the course of this Presidency, he organized nations around the world to join us in this effort. If this were just the United States versus Iran, we wouldn't be where we are today, but the President engaged countries which historically and recently have not been our allies.

Before we left for the August recess, we sat down with the five Ambassadors from nations that joined us in the negotiation. I looked across the table there to see the Ambassadors from China, from Russia, from the United Kingdom, and representatives of the embassies of Germany and France. I thought to myself, if you are a student of history, this is an amazing coalition: China, Russia, the United Kingdom, Germany, France, and the United States all working together. And we brought into the sanctions regime other countries that didn't have the same direct involvement in negotiations but were with us. South Korea is a good example. Japan, another good example, joined us in this effort to put

pressure on Iran. President Obama led this effort, and he was successful in this effort. The Iranians came to the negotiating table because we put the pressure on them—economic pressure that brought them to that moment.

Now we have before us this agreement. Some have said: You can never trust Iran no matter what they say. I would just harken back to the days of Ronald Reagan, who said of our enemies around the world when it came to agreements: "Trust, but verify."

Just recently we had an announcement made by Colin Powell, a man I respect very much, in support of this agreement. It was an announcement which surprised me in a way. I didn't know if he was going to take a position on this matter, but this article states:

Former Secretary of State Colin Powell expressed support for the [Obama] nuclear agreement with Iran on Sunday, calling the various planks Iranian leaders accepted "remarkable" and dismissing critics' concerns over its implementation.

"It's a pretty good deal," he said on NBC's "Meet the Press."

Critics concerned that the deal will expedite Iran's pursuit of a nuclear weapon, Powell added, are "forgetting the reality that [Iranian leaders] have been on a super-highway, for the last 10 years, to create a nuclear weapon or a nuclear weapons program with no speed limit."

He said the reduction in centrifuges, Iran's uranium stockpile and their agreement to shut down their plutonium reactor were all "remarkable."

"These are remarkable changes, and so we have stopped this highway race that they were going down—and I think that's very, very important," Powell said.

He also pushed back on skeptics who have expressed worries about the ability of independent inspectors to verify that Iran is following the agreement. Powell said that, "with respect to the Iranians—don't trust, never trust, and always verify."

"And I think a very vigorous verification regime has been put into place," he said.

"I say, we have a deal, let's see how they implement the deal. If they don't implement it, bail out. None of our options are gone," Powell added.

I think he hit the nail on the head. General Colin Powell, who served our country in the military and as Chairman of the Joint Chiefs of Staff, then as Secretary of State, brings a perspective to this which very few can. He is a man who risked his life on the battlefield, a man who knows the true cost of war, but a man who was empowered by another Republican President to lead us in diplomatic negotiations. This is the kind of clear-eyed approach that we need and want when it comes to an issue of this gravity.

I will have other things to say on this matter, as others will.

I yield the floor to my colleagues.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I am going to have more lengthy comments to make on this topic a little later, but I did want first of all to thank the Senator from Illinois for his comments, and I certainly want to thank Senator CARDIN—and I will do so more fully in

just a moment. But I would like to remind the body that, yes, we went through several steps along the way to get to where we are today that certainly created consternation on both sides of the aisle. There were lots of things that occurred. A letter was referred to. There was an address to the joint Congress. There have been numbers of things along the way that have caused people to concern themselves that maybe this debate would end up being something that was partisan and of low level.

What we have done is that we have actually marshaled ourselves through that, and we ended up with the Iran review act in short terms. That gives us the opportunity, as the distinguished Senator mentioned, to actually review this. We have done that. We have had 12 hearings on this topic—extensive hearings—in the Foreign Relations Committee, and many other committees have done the same.

What we ended up putting in place, with 98 votes in the Senate—98 to 1; we had one Senator who was absent—is a process where all Senators could review this, could have the documents at their disposal to go through it, to go to classified briefings so they could understand—and should understand—fully what this agreement says and then have the right to vote.

Certainly, some things happened along the way that, as I mentioned, created some consternation, but as a body, in Senate fashion, in lieu of letting that divide us and letting that create a scenario where we wouldn't review it and not vote on it, we created a process where we would review it and vote on it.

It is my hope—and I know I have had a very nice conversation with the distinguished Senator from Illinois, and certainly multiple conversations with the distinguished Senator from Maryland—that over the process of this week that is what continues. I know that is what all of us want to see happen.

I do think the American people deserve to know where Senators and House Members stand on this serious piece of foreign policy that is before us, and I want to thank everyone for their role in getting it here.

As a matter of fact, I will move on, if I could, to what I had planned to say. I first want to thank Senator MCCONNELL and Senator REID for allowing this debate to take place this week without having a motion to proceed. I couldn't thank Senator CARDIN more for being a colleague who really works to try to figure out a way for the Senate to play its appropriate role in foreign policy. It has been nothing but outstanding in dealing with him since he assumed this role, and I want to thank him for the way he has conducted himself.

I would also like to remind people that without the Iran Nuclear Agreement Review Act there would be no role for Congress. One of the things I

think has confused a lot of the American people—and there are a lot of people who would prefer this to have been a treaty—is the fact that under our form of government, the President is able to decide whether he is going to submit an agreement as a treaty or as an executive agreement. An executive agreement stays in place during the duration of that President's tenure and could be altered by the next President. A treaty is binding on future Presidents.

This President, as we know, decided to go directly to the U.N. Security Council and, by the way, lift some congressionally mandated sanctions that we all helped put in place that actually brought Iran to the table. So with the knowledge of that, Congress stepped in and passed this piece of legislation that now gives us the right to review what the President has negotiated and to prevent him from lifting those congressionally mandated sanctions should we decide we disapprove of this deal.

So this is a place where Congress came together and said: No, we want to play a role, even though a role is not contemplated under an executive agreement. I know this has been confusing to numbers of people, but this was the only vehicle capable of winning a veto-proof majority to provide Congress with this chance—a chance for the American people to have us, on their behalf, review this agreement and then vote.

As I mentioned, we have had more than a dozen hearings. I have spent a great deal of time, as has the ranking member, as have all of our committee members—and the Presiding Officer the same—as have so many people going through this agreement, and I oppose implementation of this deal. I oppose its implementation.

When the President first stated his goal—his goal of ending Iran's nuclear program—that was something that could have achieved tremendous bipartisan support in this body. As a matter of fact, onward there were discussions of dismantling the program. And as we all know today—and I will speak more fully on this tomorrow—rather than ending it, this agreement industrializes it. It allows the industrialization of the program run by the world's leading state sponsor of terror, and it does so with our approval.

Now, that is a large step from where we began these negotiations. Had the President achieved the goal, I think what we would have in this body is 100 Senators standing up and supporting what he said he wished to do with these negotiations. But we have ended up with something that certainly is a far cry from that.

Instead of having anytime, anywhere inspections, I think everyone understands there is a managed inspection process. Certainly, there are some issues relative to the IAEA that have given many Members tremendous concern.

The thing that is one of the most troubling aspects of this is that

through the course of these negotiations, the leverage—where right now, basically, the world community has had its boot on a rogue nation's throat—in 9 months the leverage shifts from these nations—our nation being one of those—having them in a position where we might negotiate something that ends their program to now, where instead what happens is the leverage shifts to Iran. The leverage shifts to Iran.

They are going to receive, as we know, billions of dollars. Most people think the number is around \$100 billion. By the way, they have a \$406 billion gross domestic product. That is the size of their economy. We are going to release to them over the next 9 months about \$100 billion—25 percent of their economy in 9 months.

The President has said, and surely others, that some of this is going to be used to sponsor terrorism. We know that. Think about if we had 25 percent of our GDP given to us over the next 9 months. We have an \$18 trillion GDP—\$4 trillion or \$5 trillion given to us over the next 9 months. Certainly, this is going to have an impact on what they are able to do.

What Iran is going to be able to say in 9 months—when we push back on violations in the agreement, when we push back on terrorism and we push back on human rights violations—is that because most of the sanctions will be lifted at that moment, they will have their money, and their economy will be growing, well, look, if you push back, we think this is unfair. They are already making these statements in Iran: We will just resume our nuclear program.

So instead of our having leverage over them, they are going to have leverage over us. They are going to have leverage over us. This is in the vacuum of having no Middle Eastern policy. I don't say this to be pejorative. We know we have no policy in the Middle East to push back against Iran. We know that. So this agreement is going to end up being our de facto policy, and everything is going to be measured by this: What will Iran do if we push back?

What if we push back against the fact that they are giving Hamas rockets to fire into Israel? What if we push back against what Hezbollah is doing in Lebanon and what they are doing in Syria? What if we push back against what the IRGC—the arm of the Supreme Leader—is doing right now to protect Assad? They are the shock force to keep Assad in power right now.

We know that right now in prisons in Syria people are being tortured. We saw it firsthand. The ranking member and I went over to see what was happening at the Holocaust Memorial Museum presentation where Caesar, someone working for the Assad regime, took photographs. We know as we stand here in these comfortable settings in the Chamber of the Senate, people are being tortured, their genitals are being removed, and Iran is supporting that.

We know that—the fact that they are going to have some resources to do more of that, to do the same thing with the Houthis in Yemen, to support terrorists and people who are trying to disrupt the Government of Bahrain.

Look, the leverage shifts to them. All they can say—what they are going to be able to say—if we push back against those activities is this: Well, look, we think you are being unfair. We are just going to resume our program.

I don't understand. This is beyond me. I have had no one explain it to me. I know the Senator from Illinois had the diplomats from the other countries come in. I have no idea why in this last meeting in Geneva we agreed to lift the conventional weapons ban after 5 years. What did that have to do with the nuclear file? And then we lifted the ballistic missile technology embargo in 8 years? What was that about? Then, as we know, with some really weird language that is in the agreement, we immediately lifted the ban on ballistic missile testing.

I think everyone here knows—the people sitting in the audience, people watching—that Iran has no practical need whatsoever for this program—none. Let me say that one more time. Here is a country with 19,000 centrifuges—10,000 of them operating. They have an underground facility at Fordow. They have a facility at Arak that produces plutonium. They have all kinds of research and development.

And by the way, this agreement approves further research and development of their centrifuges. As a matter of fact, it paves the way for them and also times it out perfectly for them to be in a position to be at zero breakout time, which is exactly what the President said they would be at, in 13 years. They can just agree to this agreement, and they can just continue to implement this agreement and be in that position. But they have no practical need—none.

Some people have said: Well, if they really want to pursue the technology of medical isotopes, maybe—maybe—they could use 500 centrifuges. Think about this. We have a country with one nuclear reactor, a country that could buy the enriched uranium to provide the energy for that cheaply on the market. Instead, they have put their entire society through grinding sanctions that have harmed families. They have been doing that for years for something they have no practical need for. There is only one need, and we all know that, which is to be in the position to be a nuclear-armed country.

So let me say one more time that every Senator here supported this process except for one. The American people deserve to know where their elected officials stand on this consequential agreement. I hope people on both sides will cause this to be a sober debate. I know it will be impassioned, and people will certainly be speaking strongly about the pros and cons of this agreement.

I do hope at the end of the day—while I was gone—I digress—there were discussions about filibustering the right to vote on this Iran agreement. I read about it in some magazines here, that instead of this being about people expressing themselves relative to a policy they felt was important to the country, apparently all of a sudden it became about something else.

I would just say to my colleagues, I don't know how we can be in a place where we have said to our constituents that we want to review and vote on this agreement and then, over some revisionist statement or thought, come up with a process that says: No, we are going to filibuster it; we really don't want people to vote.

It is my hope that over the course of the next several days cooler heads will prevail and that we of course will have, I believe, a very sober debate. I think my friends on the other side of the aisle have seen what the leader just did to try to ensure that we keep the debate about approval or disapproval—in this case, disapproval—of this particular deal, and I hope that very soon we will all be able to express ourselves with a vote on the deal itself, whether we believe it is in our Nation's interest. I do not. Some do. Let's have a debate in a sober way.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. CORKER. Yes.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I say to the chairman of the Foreign Relations Committee how much I appreciate his good work, together with the ranking member Senator CARDIN, whom he alluded to earlier, but the Senator from Tennessee just said something which I think every American should find troubling, and that is perhaps the single-most important national security issue facing the country since the authorization for use of force in Iraq in 2002; that there might be a partisan filibuster of our ability even to have that up-or-down vote on the resolution of disapproval.

I ask the Senator from Tennessee, is he aware of reports that the Supreme Leader Ayatollah Khomeini has said the Iranian Parliament will have the final word on this deal in Iran?

I wonder how the Senator would characterize a partisan filibuster in the U.S. Senate, preventing such an up-or-down vote in the Senate, while the Iranian Parliament would have the ability for that up-or-down vote in that institution.

Mr. CORKER. I did read those reports. I said to my friend from Illinois earlier: Look, there has been so much that has occurred from the very beginning that has caused people on each side to, in some cases, raise the partisan flag or think that this is a debate which could devolve into something that was of that orientation. What we have done, as the Senator mentioned, is we have risen above that, and we

passed something that allows us to debate and to vote.

I read with interest what the Supreme Leader has said. I think he is hedging his bets, and no doubt he is going to take it to their Parliament and allow them to vote and debate. I hope that here, the citizens of our country will be shown that same respect and expect that their Senators and their House Members will have the opportunity to vote on the actual policy which has been negotiated and agreed to by these various countries. I hope that will be the case and, yes, I was very aware of that.

With that, without objection, I wish to yield the floor to my great friend, the ranking member on the Foreign Relations Committee. Together, we have marched through some incredible hearings. I think all of us have studied this dutifully. That could not have occurred without his incredible cooperation and that of his staff. I thank him for his leadership. I thank him for his willingness to seek a place where the Senate can deal with this in the appropriate way.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me first thank my friend Senator CORKER for his leadership but, more importantly, thank him on behalf of the Senate for standing up for what I think is the appropriate role of the United States Senate in reviewing a major foreign policy issue.

I have had the opportunity to serve with four different chairmen in the Senate Foreign Relations Committee since I have been in the Senate: Senator CORKER, Senator MENENDEZ, Secretary Kerry, and Vice President BIDEN. All four fought for the Senate having the appropriate role in establishing foreign policy.

We are a country that believes our system of democracy serves our country the best; that is, with separation of branches of government. We don't have a parliamentary system. We have an independent Congress—a Congress that is expected to provide independence in its reviews of the laws of our country and the policies of our Chief Executive, and that is exactly what we are doing in this debate.

I thank Senator CORKER for his extraordinary leadership of our committee. I know I speak for both Democrats and Republicans in saying that we support the independence of the Senate in reviewing our work.

Senator DURBIN—I listened to his comments. Senator DURBIN is a dear friend of mine. The two of us have fought together on human rights issues around the globe. We have fought for civil liberties in the United States. We have worked together on so many important issues, including in the Middle East. I deeply respect his views.

There are Members on both sides who have reached different conclusions, but we are all committed to making sure

Iran does not become a nuclear weapons state, and we honestly believe our view is the best way for that to be accomplished. I don't challenge any other Member's decision, and I certainly don't question their resolve against Iran becoming a nuclear weapons state or their support for our regional allies. I think each has demonstrated that throughout their career. Some of us have come to different conclusions.

I strongly believe we must prevent Iran from becoming a nuclear weapons state. It is a game-changer in the region. We have already heard from my colleagues that Iran is one of the principal purveyors of terrorism in that region. It would accelerate an arms race that already has too many arms in its region. It would make it so much more difficult to confront Iranian policy if they possess a nuclear weapon. President Obama is right to say we will not let that happen and that all options are on the table to make sure that doesn't happen, and Congress is right to say we support all options being on the table to make sure Iran does not become a nuclear weapons state. That is a goal we all have.

In this independent review, some of us believe the best way to accomplish that is to move forward with the agreement negotiated by the Obama administration. Others believe that is not the case.

I wish to second what Senator CORKER said about the Iran Nuclear Agreement Review Act. I was proud to be part of putting that bill together and gaining broad support in the Congress and the support of the administration. I think it put us in a much stronger position in negotiating in Vienna. I think the fact that we had set up the right way for a congressional review—that it was going to be a transparent review, a critical review—put our negotiators in the strongest possible positions in Vienna. I also think it provided the right type of review, so that after the agreement was reached, information would be made available to us, we would have an open process, the American people would learn more about it, and we would be in a better position to make our own judgment. It was clear in the review act that no action is required. We can't pass resolutions of approval or disapproval.

I wish to mention one thing, though, that I disagree with Senator CORKER, but maybe in the end we will come together on this issue. I wasn't part of the original negotiations on the review act. I came into it and was able to resolve the differences between the White House and the Congress and many Members of Congress, but it was clear, in talking to the architects of this legislation, that they always anticipated there would be a 60-vote threshold for the passage of this resolution in the Senate.

I agree with Senator CORKER that we shouldn't have to use filibusters and we shouldn't have to have procedural votes; that we should have a vote on

the merits. I thought Senator REID's suggestion was the right way to go. I hope we can find a way that we can avoid the procedural battles and be able to take up this issue and let every Member vote their conscience as to whether to support or disapprove of the resolution.

I told the people of Maryland after the review—let me say how this review went. We had 2½ weeks of review before the recess, and Senator CORKER worked our committee unmercifully as far as what we did. We had hearings, we had briefings, we had classified briefings, we had Member meetings, and to the credit of the Members of the committee, all 19 showed up. These meetings went on for about 4 hours each. So we were back-to-back-to-back in our briefings and in trying to understand what was in the agreement for the 2½ weeks we were here.

I then went back to Maryland, as I am sure my colleagues went back to their States, and had a chance for the first time to meet with Marylanders and to talk with Marylanders, to express and talk with them and get their views, and to evaluate whether I thought it was best to go forward. It was a close call, but I decided I could not support the agreement.

I just wish to share why I cannot support the agreement—and Senator CORKER mentioned this: It places Iran, after a time period, in the position of enrichment of uranium that is dangerously close to being able to break out to a nuclear weapon in compliance with the agreement. Being legal, they can get to that point. At that point, they have already gotten sanctions relief, so they are in a much better financial position to be able to withstand any pressures that could be put on Iran. We know they want to become a nuclear weapons state. They have tried in the past. We know that. That has pretty well been documented. We have no reason to believe they are going to change their intentions. So if they want to become a nuclear weapons state and they make the calculation that we really don't have a sanctioned way to stop them—because at that point their economic strength is strong enough and sanctions take too long to really bite and take effect—it would not be an effective deterrent to erase the breakout.

Here is the key point of concern to me—and I acknowledge to all my colleagues that I don't know what is going to happen in the future. This is a close call, but I think there is a higher risk of potential military operation if we go forward with this agreement because we don't have effective sanctions once they have been removed. That concerns me because I don't think a military option is a good option. I don't believe it will eliminate the threat, and it has a lot of collateral issues involved with the military operation.

I acknowledge that if we do not go forward with this agreement, there is a risk. There is no question about it.

There is high risk in either direction. But if we were to reject the agreement, what would happen? Well, no one can tell for sure. No one can tell for sure. There is a risk factor.

In my conversations with our European allies, they certainly want us to approve this agreement—don't get me wrong—but they know they have to work with the United States. They know Europe and the United States need to be in this together, and for their companies to be able to get full access to Iran, they have to work with the United States on a sanctions regime. They understand that.

Iran also understands that if we reject this agreement and they were to rush out to try to develop a nuclear weapon, it would ignite unity in the international community of action against Iran. They know that. They have to make that calculation. Iran also wants sanctions relief from the United States.

I can't predict the future, but I believe all parties will want a diplomatic solution. I understand that is not going to be easy, and maybe we will have to mix it up a little bit and put some other issues on the table. We have a lot of issues with Iran. We know about their terrorism, their interference in the region, et cetera. It may give us that opportunity. My point is, no one can predict the future. I came to that conclusion, and I understand others came to different conclusions.

There are other concerns I have with the agreement, including the 24-day delay. That doesn't concern me on known sites. It concerns me on undeclared sites and whether that will be adequate based on our intelligence information.

I am concerned about the possible military dimension that there isn't any consequence, as I see it, in the agreement if there is not an accurate account of what happened in the past. I wish it was more clear. I don't think the arms embargo relief should have been in this agreement.

I must say, I am concerned with the language in the agreement that talks about the United States and Iran with mutual respect and normalization. I don't know how we can have mutual respect for a country that actively foments regional instability and advocates Israel's destruction, kills innocents, and shouts "Death to Americans," so I came to the conclusion that I couldn't support the agreement.

Others came to opposite views. Each of us did what we thought was best, and I respect that this is a vote of conscience. I do want to point out one comment that was made a little bit earlier by my colleague about the Iraq war. I voted against the Iraq war. It was not a hard vote for me because, quite frankly, I didn't see the intelligence information that would have justified the authorization for use of military force. But it was a controversial vote.

In my congressional district, it was an extremely unpopular vote, and the



reactions were not too much different than the reactions we are getting today in regards to this particular agreement with Iran. I voted against that, along with a lot of my colleagues.

When that vote was over and it was a done deal and we pursued our military operations in Iraq, I joined with all my colleagues and the administration to give us the best possible chance for America to succeed because that is our responsibility. That is our system. Our system is independent review. But when the review is over, it is time for us to come together.

So, yes, I have been talking to my Republican colleagues. I have been talking to my colleagues who are voting for the agreement and those who are voting against it as to how we can work together in a responsible manner when this debate is over so the United States can be in the strongest possible position, working with the administration, to prevent Iran from becoming a nuclear weapon state. Working together, I think we can help the administration have a stronger position, knowing the independence of Congress.

The administration has said and we can underscore that all options are on the table to make sure Iran will not become a nuclear weapon power. The administration has said and we can underscore that there is a need for a regional security strategy so that our partners know of our commitment to the region against whatever happens with Iran. The administration has suggested and we can reinforce that our closest ally in the region, Israel, will have the security it needs as a partner with the United States. The administration has stated and we can reinforce that we will be active and pursue terrorism by Iran if they increase their terrorism or attempt terrorism against the United States. We can speak to that. We can make sure that we are better informed and that we have the information we need to see whether Iran is using their sanctions relief so that we can act timely with the administration to protect U.S. interests.

I think we can speak with a strong voice when this debate is over, and I hope that during the next 2 weeks the debate that takes place on the floor of the Senate and the House of Representatives reflects the best tradition of the Congress in our independent review and our firm commitment to work on behalf of America. We must stand firm in our determination to prevent Iran from acquiring a nuclear weapon. We must agree to counter Iranian support for terrorism and confront Iranian violations of ballistic missile protocols and international human rights obligations. Congress and the administration cannot dwell on past disagreements. Together we must find a functional bipartisan approach to Iran. I stand ready to work with my colleagues and the administration to achieve such a result.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to thank the Senator from Maryland for his comments and his tremendous leadership on this issue. I note that Senator COLLINS is here to speak. It is my understanding that she will speak for approximately 30 minutes. Senator CORNYN may be down shortly thereafter to speak and then Senator Kaine.

I know some people referred to the fact that it is only those who wanted to go to war with Iraq who are supporting this. But not only did the ranking member not support going to war with Iraq, neither did Senator MENENDEZ from New Jersey, who, again, opposes this agreement. That type of characterization certainly is not the way that this is. The two most knowledgeable Democrats in the Senate on this issue by far both oppose it.

With that, I yield the floor to the distinguished Senator from Maine, who represents a beautiful State. We thank her for her contributions.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I want to thank the chairman of the Foreign Relations Committee for his leadership on this issue, for briefing us, for arranging for briefings, and for his very thorough analysis. I also want to commend the Senator from Maryland for his vote of conviction, for doing what he believed was correct, for showing the courage to cast a vote of true conscience. I was honored to be here on the Senate floor to listen to his comments today.

President Obama's agreement with the Iranian Government with respect to its nuclear program is one of the most important foreign policy decisions ever to face the Senate. The vote that we shall cast will not be an easy one. The security of our Nation and the stability of the Middle East, as well as America's leadership in the world, are affected by this agreement, known as the Joint Comprehensive Plan of Action, or the JCPOA.

Thus, I have devoted countless hours to studying the agreement and its annexes, attending Intelligence Committee sessions and other classified briefings, questioning Secretary of State John Kerry, Secretary of Energy Ernie Moniz, and our intelligence officials, including the top manager for Iran, talking with our negotiators and with ambassadors, and discussing the agreement with experts with divergent views to ensure that my decision is as well informed as possible.

Let me begin by making clear that I supported the administration's undertaking these negotiations with Iran. Indeed, I was heartened when President Obama initially said in October of 2012 that "our goal is to get Iran to recognize it needs to give up its nuclear program and abide by the U.N. resolutions that have been in place." He went on to say: "The deal we'll accept is, they end

their nuclear program. It's very straightforward."

I was optimistic that the administration would produce an agreement that would accomplish the goals the President laid out. Along with six of my Republican colleagues, I did not sign a letter to the leaders of the Iranian Government sent in the midst of the negotiations because I wanted to give the administration every opportunity to complete an agreement that would have accomplished the goals the President himself originally set forth as the purpose of these negotiations.

I have long believed that a verifiable diplomatic agreement with Iran that dismantled its nuclear infrastructure and blocked its pathways to the development of a nuclear weapon would be a major achievement—an accomplishment that would make the world a safer place. Regrettably, that does not describe the agreement that the administration negotiated. The agreement is fundamentally flawed because it leaves Iran as capable of building a nuclear weapon at the expiration of the agreement as it is today. Indeed, at that time, Iran will be a more dangerous and stronger nuclear threshold state—exactly the opposite of what these negotiations should have produced.

Mark Dubowitz, a noted expert on sanctions, testified before the Senate Foreign Relations Committee: "Even if Iran doesn't violate the JCPOA . . . it will have patient pathways to nuclear weapons, an ICBM program, access to heavy weaponry, an economy immunized against sanctions pressure, and a more powerful regional position . . ."

Under the agreement, not a single one of Iran's 19,000 centrifuges, used to enrich uranium to produce the fissile material for a nuclear bomb, will be destroyed. Not a single one. Iran will be able to continue its research and development on advanced centrifuges able to enrich uranium more rapidly and more effectively. Not only will Iran retain its nuclear capability, but it will also be a far richer nation and one that has more conventional weapons and military technology than it possesses today.

The lifting of sanctions will give Iran's leaders access ultimately to more than \$100 billion in the form of frozen assets and overseas accounts. Iran also will once again be able to sell its abundant oil in global markets.

The administration has repeatedly argued that Iranian leaders will invest those billions of dollars into their own country to improve the lives of their citizens. The record strongly suggests otherwise.

Iran today is the world's foremost exporter of terrorism, pouring billions of dollars into terrorist groups throughout the region and into funding the murderous Assad regime in Syria. If Iran is financing, arming, and equipping terrorist groups in Iraq, Lebanon, Gaza, Syria, and Yemen when its own economy is in shambles and its citizens are suffering, why would anyone believe that it would invest the proceeds

of sanctions relief only in its own economy?

I do expect that Iran's leaders will invest in a few high-profile projects to help their own citizens. But given their history, it is inevitable that billions more will be used to finance terrorism and strengthens Iran's power and proxies throughout the Middle East.

It is deeply troubling that the administration secured no concessions at all from Iran, designated by our government—by the Director of National Intelligence—as the number one state sponsor of terrorism, to cease its support of terrorist groups. Whether it is Hezbollah in Lebanon, the Shiite militias in Iraq or the Houthis in Yemen, Iran's proxies are terrorizing innocent civilians, forcing families to flee their homes, and causing death and destruction. And incredibly, the JCPOA will end the embargoes on selling Iran intercontinental ballistic missile technology and conventional weapons, which the Russians, among others, are very eager to sell them.

Think about that for a moment. Why would Iran want to buy intercontinental ballistic missile technology? It already has the deeply troubling capacity to launch missile strikes at Israel, which it has pledged to wipe off the face of the Earth. ICBM technology poses a direct threat to our Nation from a nation whose leaders continue to chant "Death to America."

We should also remember that the Iranian Quds forces were the source of the most lethal improvised explosive devices that were responsible for the deaths of hundreds of our servicemembers in Iraq.

Why would we ever agree to lift the embargo on the sales of conventional weapons that could endanger our forces in the region?

Let me now turn to the issue of the enforcement of the agreement by posing the obvious question: Will Iran abide by the agreement and the corresponding U.N. Security Council resolution or will it cheat? Despite being a signatory to the U.N. Charter, Iran has repeatedly violated or ignored the United Nations Security Council resolutions aimed at curbing its nuclear program.

In 2006, the U.N. Security Council passed a resolution prohibiting Iran from enriching uranium. What happened? Iran cheated. It has literally thousands of centrifuges spinning to enrich uranium. Multiple U.N. Security Council resolutions require Iran to cooperate fully with the International Atomic Energy Agency, the IAEA, and to come clean on what is known as the possible military dimensions of its nuclear activities to understand how far Iran has progressed toward developing a nuclear device and to have a verified baseline to evaluate future nuclear-related activities. What happened?

Iran cheated. Not only did it never report to international arms control experts about the experiments at its military installation at Parchin, where

Iran is suspected of developing detonators for nuclear devices, but also Iran sanitized buildings at Parchin in a manner that the IAEA has described as likely to have undermined the agency's ability to conduct effective verification. Remarkably, according to public reporting, Iran has continued these sanitation activities while Congress was holding hearings on the agreement this summer.

In 2010, the U.N. Security Council adopted another resolution requiring Iran to cease any activities related to ballistic missile activities capable of delivering nuclear weapons. What happened?

Iran cheated. It launched ballistic missiles in July 2012. Given this history, there is no question in my mind that Iran will try to cheat on the new agreement and exploit any loophole in the text or in the implementing Security Council resolution that was, by the way, as the chairman has pointed out, adopted before Congress even had a chance to vote on the agreement. Given Iran's history of noncompliance, one would think an ironclad inspection process would be put in place. Sadly, that is far from the reality of this agreement.

Let me make four points about how Iran can stymie inspections. First, throughout the term of the agreement, Iran has the authority to delay inspections of undeclared sites. Those are the sites where inspectors from the IAEA believe that suspicious activities are occurring. Inexplicably the JCPOA establishes up to a 24-day delay between when the agency requests access to a site and when access is granted. The former Deputy Director General for Safeguards at the IAEA notes that 24 days is sufficient time for Iran to sanitize suspected facilities and points out that past concealment activities carried out by Iran in 2003 left no traces to be detected. This is a long way from the anytime, anywhere inspections that should have been part of this agreement given Iran's sorry history.

Second, no American or Canadian experts will be allowed to be part of the IAEA inspection team unless these countries reestablish official diplomatic relations with Iran. I recognize that the IAEA has many highly qualified experts, but the exclusion of some of the most highly skilled and experienced experts in the world does not inspire confidence.

Third, and most outrageous, according to press reports, the Iranians themselves will be responsible for the photographs and environmental sampling at Parchin, a large military installation where nuclear work is suspected to have been conducted and may still be underway. IAEA weapons inspectors will be denied physical access to Parchin. Note that I said "according to press reports." That is because the actual agreement between the IAEA and Iran is secret and has been withheld from Congress.

As a member of the Intelligence Committee, I have been briefed on the

agreement, but like every other Member of Congress, I have been denied access to the actual document despite how significant this issue is. The actual text matters because of Iran's repeated efforts to exploit loopholes and particularly in light of press reports on what is in that document.

Fourth, Iran is not required to ratify the Additional Protocol before sanctions relief is granted, if ever. The Additional Protocol allows the IAEA permanent inspection access to declared and suspected nuclear sites in a country in order to detect covert nuclear activities. Ratification of the protocol would make the AP permanently and legally binding in Iran.

Mr. President, 126 countries, including our country, have already ratified the Additional Protocol. Yet the agreement negotiated by the administration only requires Iran to "seek ratification" of the Additional Protocol 8 years from now—in the 8th year of the agreement—and to comply with its terms until then. If Iran's past behavior is any guide, Iran may never ratify the Additional Protocol and thus be subject to its permanent, legally binding inspection regime.

To prevent Iran from cheating, the administration has repeatedly pointed to the prospect of an immediate snapback of sanctions as the teeth of the agreement. I will be surprised if they work as advertised. First, the rhetoric on the snapback of sanctions is inconsistent. On the one hand, the administration says the United States can unilaterally cause the international sanctions to be reimposed. At the same time, the administration repeatedly warns us that the sanctions regime is falling apart. Which is it?

Second, Iran has already made explicit in the text of the agreement that the imposition of any sanctions will be treated as grounds to restart its nuclear program. Included in the JCPOA is this clear statement: "Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitments under this JCPOA in whole or in part." In effect, Iran has given advance notice that if the United States or any of its partners insist on reimposing sanctions, Iran can simply walk away from the deal. Given their investment in the deal, I am very skeptical that any of the P5+1 countries will be willing to take that action.

After the United Nations Security Council endorsed this agreement on July 20, the Iranians actually released a statement saying they may reconsider its commitments if new sanctions impair the business and trade resulting from the lifting of nuclear sanctions, "irrespective of whether such new sanctions are introduced on nuclear-related or other grounds."

Let's think about the implications of that for a moment. The Iranians are saying a sanction is a sanction is a



sanction, and Iran appears ready to resume its nuclear activities if any sanctions are reimposed, even if the purpose is nonnuclear, even if the purpose is to halt Iran's financing of terrorists groups.

That means, if the United States reimposes a sanction in response to the Iranians continuing to finance, train, arm, and equip terrorist groups all over the world, Iran, the foremost exporter of terrorism, according to our own Director of National Intelligence, can just walk away from the agreement we are being asked to approve.

Third, according to the nonpartisan Congressional Research Service, the agreement states that sanctions would not be applied "with retroactive effect to contracts signed between any party and Iran or Iranian entities prior to the date of application." This grandfathering clause will create an immediate rush of businesses to lock in long-term business contracts with Iran. Iranian Foreign Minister Zarif assured Iranian lawmakers that the swarming of business for reinvesting their money is the biggest barrier to the reimposition of sanctions, and he is right.

The State Department insists that each case will be worked on an individual basis, but there is no guarantee that any case, much less every case, will be resolved in the short time period necessary.

There are alternatives to the deeply flawed agreement reached in Vienna. While I recognize that it would be difficult, the fact is, the administration could renegotiate a better deal. As Orde Kittrie, the former lead State Department attorney for nuclear issues, recently noted in the *Wall Street Journal*, the Senate has required changes to more than 200 treaties that were ultimately ratified after congressional concerns were addressed.

This is not unusual. For example, the 1997 resolution of ratification regarding the multilateral Chemical Weapons Convention included 28 conditions inserted by the Senate. The treaty was ultimately ratified and currently is in force in 191 participating nations, including Iran and the United States. Similarly, the Senate insisted that the Threshold Test Ban Treaty with the Soviet Union have additional provisions strengthening compliance measures before it was ratified.

Of course, one of the problems with this agreement is that it is not in the form of a treaty, which precludes the Senate from inserting reservations, understandings, or declarations. But that does not mean this agreement cannot be renegotiated, and there are so many precedents for side agreements or renegotiations of treaties themselves—more than 200 times.

Another alternative to this agreement would be to further wield our unilateral financial and economic power against those conducting business with key Iranian entities. Juan Zarate, the first Assistant Secretary of the Treasury for Terrorist Financing and Finan-

cial Crimes, testified before the Senate Foreign Relations Committee:

We can't argue in the same breath that "snapback" sanctions as constructed offer a real Sword of Damocles to be wielded over the heads of the Iranians for years while arguing that there is no way now for the United States to maintain the crippling financial and economic isolation which helped bring the Iranians to the table.

Every country and every business would have to choose whether to do business with a nuclear Iran or with the United States. I am confident that most countries and most businesses would make the right choice.

Despite these options, the administration negotiated a pact in which its redlines were abandoned, compromised, or diluted, while the Iranians held firm to their core principles.

The Iranians have secured the following if this agreement moves forward: broad sanctions relief, a U.N.-blessed domestic uranium enrichment capability, international acceptance of Iran as a nuclear threshold state, international acceptance of its indigenous ballistic missile program, the lifting of the arms and the ICBM embargoes, repeal of all previous U.N. Security Council resolutions, and removal of the Iranian nuclear issue from the U.N. Security Council agenda.

Accordingly, I shall cast my vote for the motion of disapproval. I believe Iran will bide its time, perfect its R&D on advanced centrifuges, secure an ICBM capability, and build a nuclear weapon as the JCPOA is phased out.

It is time for Congress to reject the JCPOA and for the administration to negotiate a new agreement, as has been done so many times in the past when the Senate raised serious concerns. The stakes are simply too high and the risks too great for us to do otherwise.

Thank you, Mr. President.

The PRESIDING OFFICER. The minority whip.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING LIEUTENANT JOE GLINIEWICZ

Mr. DURBIN. Mr. President, there are many brokenhearted people today in the small town of Fox Lake, IL. They are mourning the loss of Lieutenant Charles Joseph Gliniewicz. His friends and family called him Joe. At work they called him GI Joe. That all-American nickname was an admiring tribute to Lieutenant Gliniewicz's nearly 30 years of service to the U.S. Army, the Army Reserves, and to his appearance and demeanor.

At age 52, Lieutenant Gliniewicz was fit and strong. He stood ramrod straight. He wore his hair high and tight like a drill sergeant. But the physical characteristic people mention most about Lieutenant Gliniewicz was his smile.

Everyone knew GI Joe in Fox Lake, IL. He served on the town's police force for 32 years. He was supposed to retire

at the end of last month, but he stayed on just 1 more month to ensure the smooth transition of a volunteer youth program to which he devoted thousands of hours over nearly 30 years.

A week ago today, September 1—the day that would have been Lieutenant Gliniewicz's first day of retirement—he was shot and killed in the line of duty. It was 8 o'clock in the morning. Lieutenant Gliniewicz was driving down a road lined with open fields and abandoned-looking businesses when he spotted three men who raised suspicion. He radioed the police dispatcher that he was going to pursue them on foot. The dispatcher asked if he needed help. Lieutenant Gliniewicz said: Sure, send them. When backup officers arrived 3 minutes later, they couldn't find him. A few minutes later, they found Lieutenant Gliniewicz 50 yards from his patrol car. He had been fatally shot.

Law enforcement agencies are still searching for the three men responsible. They have only a very sketchy description: three men, two White, one Black.

In the days that followed the murder, hundreds of law enforcement officers poured into Fox Lake in Lake County. They were joined by members of just about every major law enforcement agency, all people can think of, including the Bureau of Alcohol, Tobacco, Firearms and Explosives, the FBI, and even the Secret Service. Dozens of officers suffered heat exhaustion as they searched the woods and swamps. They are still searching today for his killers. We all want to see them brought to justice swiftly.

Lieutenant Gliniewicz was married for 26½ years to his wife Melodie. They call her Mel for short. They were parents of four sons ranging in age from early twenties to their teens. One of his sons serves in the U.S. Army.

The day after Lieutenant Gliniewicz's murder, hundreds of local folks turned out for a rally in Fox Lake to show their love for him and his family. It would just break your heart to see pictures of Melodie Gliniewicz and her four now fatherless sons smiling through their anguish, trying to support each other and their grieving neighbors.

Folks in Fox Lake said that Joe Gliniewicz loved his town and he was always the first to volunteer at whatever local administration needed help with an event. One resident told the local newspaper:

Everyone in town knew who he was. Whether you were on a first-name basis or knew his rank, you knew he was a great guy.

This resident added:

Just being involved in his community, he took pride in it. This is where he lived, and it's what he fought to protect. He took great pride in making the town of Fox Lake the place it is.

Lieutenant Gliniewicz was a volunteer with the Special Olympics and a lot of other groups. The organization he was closest to was the Fox Lake Police Department Explorers, a group

who mentors young people who want to aspire to law enforcement. Joe Gliniewicz established Fox Lake's Explorer Post No. 300 nearly 30 years ago. Over the years, he has seen hundreds of explorers in training get into law enforcement and the military. His death is felt so deeply by these young people, by Lieutenant Gliniewicz's family, friends, and neighbors, and by his brothers and sisters in blue not only in Fox Lake but throughout Illinois and across America.

Lieutenant Gliniewicz was the first on-duty officer fatally shot in Lake County, IL, since 1980 and the third law enforcement fatality in Illinois this year, according to the Law Enforcement Officers Memorial Fund. According to the Law Enforcement Officers Memorial Fund, firearms-related deaths of law enforcement officers in the United States are down 24 percent this year compared to the same period last year, January 1 to September 8. There were 34 last year and 26 this year. While that downward trend is good news, even one police officer killed in the line of duty is way too many.

In Fox Lake and in towns across America, countless families have replaced the lightbulbs on their front porches with blue lightbulbs to show their support for their local police.

Yesterday, on Labor Day, there was a memorial service at the high school for Lieutenant Gliniewicz. They packed it with law enforcement officials from all over—not just Lake County, IL, but the Midwest and across the Nation. It was an 18-mile funeral parade or funeral caravan that went off to the cemetery afterward—18 miles long—and it was filled with admirers and friends and people standing on the roads with homemade signs.

Lieutenant Gliniewicz really made a difference in people's lives. It is sad to lose him. When we reflect on the great contribution he made to his community, to his county, to my State of Illinois, and to our Nation, it is with heartfelt gratitude that we say to his family: We are by your side.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, as have all of our colleagues, I have been traveling around my State over the last few weeks listening to my constituents and trying to understand what their concerns are. I have to tell my colleagues that Washington is not in high repute. People sense the country is heading in the wrong direction. They have entrusted us with the way to navigate that, and they feel as though we have not succeeded in getting our country back on the right track. I know that when it comes to security issues—and of all the issues the Federal Government deals with, national security is the only one we can't delegate to someone else. It is our No. 1 responsibility as a Federal Government. State government can't do it. Local

government can't do it. We can't do it for ourselves, so we depend on the Federal Government to make sure our Nation is safe and secure, which is a precondition for all of the other liberties and privileges we enjoy.

As part of the roundtables and visits I had, I took part in one in Houston, TX, where we addressed a wide variety of issues, but the No. 1 issue that came up was the Iranian nuclear deal. There is no issue more compelling or concerning to this particular group of folks or my constituents back home than the President's deal with Iran because people recognize that Iran is a state sponsor of international terrorism, and what this does is it paves the way to them getting bigger and more lethal weapons.

They are also very concerned, as they should be, that this deal requires us to trust an adversary who has done nothing to earn it. I know the President has said there is no trust involved, but in the absence of trust, one would at least think there would be adequate verification mechanisms.

Of course, I know Secretary Moniz has disavowed his earlier comments about anytime, anywhere inspections, and we then learned that there is this convoluted process of 24 days' notice and some arbitration before the IAEA will gain access to some sites and then, as the Associated Press reported, the sidebar deals, which, if these reports in the public domain are accurate, would basically require Iran to inspect itself.

The reason people are so anxious and concerned about this is there is no doubt about that. Their concerns are well taken, but I think of all the things that concern my constituents and the people I talked to during August about this deal, it is Iran's long history of supporting terrorism, including attacks on the United States and our allies.

It is no exaggeration to say the Iranian regime has American blood on its hands, and it has had for many years. Former Secretary of State and National Security Advisor Condoleezza Rice put it well when she said: Iran has been the country that has, in many ways, been kind of a central banker for terrorism. It is Iran that has been conducting these proxy wars against Israel, the United States, and our allies since the regime came into power as a result of the revolution in 1979.

Even President Obama and his National Security Advisor Susan Rice admitted earlier this summer that the Iranian Government could use the \$100 billion in cash they are going to get as a result of sanctions relief to help fund terrorist attacks, to help fund these terrorist groups.

Here is what the President said. I guess he has resigned himself to it. He said: "The truth is that Iran has always found a way to fund these efforts." Well, that does not make me feel any more at ease, nor should it make any of our allies feel any more at ease about Iran and its intentions and

what it will do with these funds that will be relieved from sanctions. That does not even address the million barrels of oil a day which now Iran will be able to ply to markets all around the world and the revenue they will be able to generate from that.

The President may believe that there is nothing we can do about Iran funneling money to terrorist groups that seek to attack us and our allies, but we cannot afford to just shrug our shoulders with indifference. That seems to be what the President's reaction is: Well, Iran has always done it and they will do it with this money. But he acts as if there is nothing he nor we can or should do about it. Iran's history of bankrolling terrorist activity deserves our attention and should be the focus of this deal, and it should be a major consideration as we proceed to assess the merits of this nuclear arrangement and vote on a resolution of disapproval.

I wish to pause a minute just to tell the chairman of the Foreign Relations Committee, not just because he is sitting next to me but because it is true, that I admire and appreciate his leadership through this very convoluted maze we have had to proceed down until we have gotten to this point. But how ironic would it be that after the chairman of the Foreign Relations Committee, working with the ranking member and getting a vote of Congress and a signature of the President allowing a resolution of disapproval—how ironic would it be if a partisan filibuster blocks an up-or-down vote on that resolution of disapproval. It is just shocking to me, but that is what the minority leader, Senator REID, and indeed the President of the United States himself apparently are talking about—blocking a vote on the resolution of disapproval that they cooperated in crafting and that bears the President's signature, that process by which that is to play out.

But, again, that is another reason people get so disgusted with what they see in Washington—because they feel there is no accountability. People get away with whatever they can. There is no right and wrong anymore. There are no rules that apply to everyone evenly and evenhandedly. There is no—in the words above the Supreme Court of the United States—there is no "equal justice under the law." It does not seem to apply.

Well, just digressing a moment and talking again about this threatened partisan filibuster of the resolution of disapproval—and again I hope and pray our colleagues across the aisle, the 41 who have said they will vote against the resolution of disapproval, I hope they will reconsider if they are even thinking about a partisan filibuster of the resolution itself and not even getting to the resolution of disapproval.

They have every right to vote according to their conscience and as they believe they should vote on the resolution of disapproval, but the idea of blocking a vote by a filibuster—it just

strikes me as reckless and irresponsible, especially in light of this: I mentioned this to the chairman of the Foreign Relations Committee a few moments ago, but I will come back to it because I find it so shocking.

A few days ago in the *Wall Street Journal*, there was a discussion or actually a report from the Supreme Leader, Ayatollah Ali Khamenei, the Supreme Leader of Iran, who declared Thursday—it said in this story of September 3—that the Iranian Parliament would have the final word on the deal. It says the Parliament speaker delivered a similar message to reporters in New York later in the day, saying he supports the deal which would lift crippling economic sanctions on Iran in return for curbs on the country's nuclear activities. The speaker of the Iranian Parliament said the agreement needs to be discussed and it needs to be approved by the Iranian Parliament. There will be heated discussions and debates.

I would hate the fact, if it was to occur—and I hope it does not—that the Iranian Parliament would have a more open, accountable, and democratic process than the Senate. I hope we do not head down the road of a partisan filibuster, no matter how this resolution turns out. It would be a mistake, it would be a self-inflicted wound to the Senate and to the respect which we would like to garner from the American people.

They would see this as business as usual, and I think it would add to their disgust. I hope Members, as they return to Washington today and as we begin to debate this deal, I hope they will recall—and let me, just in a brief few minutes, refresh some of their collective live memories about Iran's long history of terrorism against the United States and our allies. I actually had a chance last week when I was in Dallas, TX, to discuss this matter with a gentleman named Rick Kupke in Dallas, TX. He actually lives in Arlington, TX, right between Fort Worth and Dallas.

But Rick was a former U.S. Foreign Service officer. He has learned firsthand how the Iranian regime targets and attacks Americans because he was the last American captured in 1979 at the U.S. Embassy in Iran during the Iranian hostage crisis. He was one of dozens of Americans held in captivity for 444 days under the constant threat of death. But many will also remember two other terrorist bombings that occurred in 1983 that targeted American citizens. One blew up the U.S. Embassy in Beirut and the other blew up the U.S. Marine barracks at Beirut International Airport. Combined, these bombings killed more than 250 American citizens, including 8 Texans, 7 of them marines and another a soldier.

It is well known and documented that these attacks were perpetrated by the terrorist group Hezbollah under the direction of the Iranian regime. That is how the Iranian regime does its dirty work. It does it through proxies, not

directly but through proxies like Hezbollah.

Iran, while it has denied any involvement in these attacks, does not shy away from celebrating these bombings that have killed hundreds of Americans. In 2004, a little more than 20 years after the bombings, the Iranian Government erected a monument—a monument in its capital to commemorate the “martyrs” who carried out those attacks.

Later in 1985, Hezbollah, together with another terrorist group, hijacked a Trans World Airlines flight, holding hostages and beating its passengers for 2 weeks. More than half of those passengers were American citizens, including a group of six U.S. Navy sailors, one of whom was murdered.

In 1996, a bombing on a housing complex in Saudi Arabia was linked to Iranian officials that resulted in the death of 19 U.S. servicemembers, wounding more than 500.

More recently, the Defense Department has acknowledged that during Operation Iraqi Freedom, at least 500 Americans died at the hands of Shiite militias who were equipped by Iran with different types of lethal weapons. It became well known that the explosively formed penetrators, which melted the armor used to shield Americans and our allies in Iraq, were produced by the Iranian Government, and the Quds Force trained people to use those against Americans and our allies.

Then, right here in our Nation's Capital just 4 years ago, Iranian officials were implicated in a plot to assassinate the Saudi Ambassador to the United States. That plot reportedly included plans to bomb the Israeli Embassy in Washington as well. That is a staggering list of aggressions against the United States and our allies, both at home and abroad since the Iranian regime came to power in 1979.

I don't have the time right now to discuss the Iranian fingerprints on the havoc being wreaked in the Middle East, from Yemen to Syria, to Iraq. In all the major hotspots of the world, Iranian fingerprints are all over these activities. Of course, Iran has long sponsored militant groups on Israel's borders, which have attacked Israel with rockets, hundreds of rockets and terrorism.

In southern Lebanon, Iran funds and supplies Hezbollah, which threatens Israel's northern border, against which Israel went to war in 2006. In Gaza, on Israel's southwestern border, Iran has long sponsored Hamas. Particularly as Iranian-Hamas relations have frayed in recent years, Iran has sponsored the Palestinian Islamic Jihad.

Suffice it to say that over the years, Iran has sown chaos across the Middle East, attacking the United States and our allies, while publicly celebrating the death of Americans in Tehran. So with this regime's long history of aggression against the United States and its allies, I find it troubling that the President characterizes any thoughtful

questioning of the merits of this deal as akin to warmongering. That is what the President has said: If you don't like this deal, the alternative is war. To which I would say: Wrong, Mr. President. The alternative to this deal is a better deal.

According to the President's twisted logic, those who are skeptical of this same Iran, which I have described has time and time again demonstrated its aggression against the United States and which has articulated its principle opposition to this deal—the President would characterize the critics of this deal as the real belligerents encouraging war. In fact, he went so far as to say that Republican opponents of this deal—he has not said this yet about the opponents of this deal who are members of his political party, but he has about Republicans, that those who share the concerns are “making common cause” with Iranian hardliners who chant “Death to America.”

Well, this debate and this vote are simply too important for it to degenerate into partisanship. I know this is something the Senator from Tennessee feels very strongly about. He has tried to elevate the debate and to work in a bipartisan way to bring us to this vote on a resolution this week.

I hope we don't follow the President down this low road of partisan rhetoric, which actually only serves to distract us from examining the deal and identifying the true character of the regime that we are somehow making common cause with and hoping against hope that they won't continue at some point to break out and pursue those nuclear weapons.

This is not like the Soviet Union. This is not Ronald Reagan negotiating with the Soviet Union. This is a theocratic regime that is led by an Islamic extremist who has American and other allied blood on his hands and makes no bones about it.

So this debate needs to help the American people find the answer to this crucial question. I think it boils down to this: Will this deal make America and our allies safer? I think that ultimately is the question.

As we prepare to vote on this resolution of disapproval, I hope that we will have a civil, enthusiastic, and spirited debate, as the speaker of the Iranian Parliament said they will have in their body, and we will be able to openly and honestly discuss different points of view. That is the Senate is supposed to be—a place where that can happen and where it should happen. The American people deserve that kind of debate, not a partisan filibuster that cuts off the debate prematurely and tries to hide accountability for the ultimate outcome on the resolution of disapproval.

I look forward to that spirited debate, and I hope any thought that any of our colleagues might have had about engaging in a partisan filibuster of this important resolution will fade quickly from their minds.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

REMEMBERING ALISON PARKER AND ADAM WARD  
Mr. KAINE. Mr. President, I rise today for a sad occasion, and that is to remember the lives of two Virginians, Alison Parker and Adam Ward, the journalists who were gunned down on live TV in Roanoke, VA, just a couple of weeks ago, as they covered a local news story.

There was a third victim in that shooting, Vicki Gardner, the president of the local chamber of commerce at Smith Mountain Lake, who is recovering. She was released from the hospital today, but she still has a long recovery ahead of her.

We saw during the summer a set of these tragedies in Roanoke, VA, my wife's hometown, in Charleston, SC, in Lafayette, LA, and in Chattanooga, TN. My friend, the Senator from Tennessee, is on the floor.

In Virginia, the shooting in Roanoke, which was carried out on live television, was horrific in itself, but it also was horrific because it brought up a lot of bad memories. The Roanoke community is within about 25 miles from Virginia Tech, where the horrible shooting happened in 2007 that killed 32 people and wounded dozens of others.

I spoke on the Senate floor in April on the eighth anniversary of that shooting. I talked, as is my habit to do in April, about the lives of those who lost their lives but also about some who survived and what they are doing today. I am saddened to be here because it is just another example of a horrible shooting in my Commonwealth. It is also sad because we really haven't made any progress in this body since I came to it in terms of trying to address this issue.

There is a lot of work to be done—legislative and otherwise—to try to address the growing litany of these horrific crimes, which deeply scar our own psyche and, frankly, I think, portray a picture of who we are as a nation to the rest of the world that is not accurate about who we are. I am going to introduce a bill that I think can help us address it. It is not the end-all solution because there isn't a single solution. But I am going to talk a little bit about Alison and Adam, and then I wish to talk about the bill.

Alison and Adam worked on a show on WDBJ, the "Mornin'" program. They were sort of hometown heroes. Not only were they popular because they worked for the station, they were both from the hometown. Roanoke is where my wife grew up. I am very, very familiar with the wonderful Roanoke community. They both interned at WDBJ when they were in college. They were passionate members of this journalistic profession, and they were just starting on these great careers.

Alison Parker grew up in Martinsville, which is just up the road from Roanoke, about a 45-minute drive. She played the trumpet and French horn in high school. She graduated

from James Madison University. When she was at James Madison, she interned at WDBJ. They loved her work, and they gave her a recommendation.

Her first job was not there at WDBJ, but it was in North Carolina. But as soon as she could move from North Carolina back to Virginia, that is what she did. She came back to her hometown station. She covered all kinds of news and human interest stories, including a recent piece on child abuse that was a very powerful one. Her colleagues describe her as "proactive" and "wise beyond her years." She met her boyfriend, whom she was planning to marry, while working at WDBJ.

Adam Ward went to Salem High School. Salem is the city that adjoins Roanoke. He graduated in 2007 and played football on two State championship football teams. Teachers there describe him as "vivacious," "kind," "giving," "respectful," and "genuine." He had passion for Virginia Tech, the local college. He started to go to Tech football games with his dad when he was 3 years old. He interned also at WDBJ when he was a communications student at Tech.

His colleagues remembered him as somebody willing to get the image that reporters need. We all know in this line of work the guys behind the camera are so important to it. They make the on-camera talent shine, and that was the way Adam was. He loved to play tricks on the on-camera talent, kind of tweak them and make them not get above their station in life, but he was a wonderful guy.

He found love at the station too. He had become engaged to a producer at the station who sadly was watching in the station the day that the footage of him being killed was shown, which shocked the world.

I really feel for these families. I know we all do. You couldn't have watched that without having a feeling, even if you were a thousand miles away from the Ward and Parker families.

I remember having said to the Virginia Tech families this: It would be presumptuous of me, and so I am not going to say I know what you have lost, because I don't know what you have lost. But when you hear about these people, I do feel like I have a sense of what the world lost, I have a sense of what the community lost. I don't know what the parents and the siblings lost, but you kind of have a sense when you hear about these people from those at WDBJ, the Roanoke community, the community of journalists. You kind of have a sense of what we lost as a society when they were killed.

I should just say a word. Since 2002, Vicki Gardner has worked at the Smith Mountain Lake Regional Chamber of Commerce. It is a major tourism area in Virginia, a State park. It is a feature that was created by a hydroelectric dam, and they were celebrating its 35th anniversary. She was deeply involved in the planning.

Again, she was badly wounded. She has described maneuvering around to try to duck bullets as she was shot in her back. She has had a couple of operations, but, thank God, she has been released to go home today, and we are thinking about her too.

I said the shooting opened a lot of old wounds in Virginia, and especially in this community, sadly, because Virginia Tech is so close. When I spoke on the floor in April, I talked about two of these young people, Colin Goddard and Lily Habtu, who survived that shooting. Just think of the effect upon their lives 8 years later, as they deal with injuries that continue to be a challenge, and they deal with the horrible memories of that day. That was probably one of the most scarring events in modern history in Virginia. Everybody knows where they were, and everybody knew somebody connected to it.

We have revisited the cycle of shock, then anger, then calls for change, then wondering what the right changes were, and sympathy for the families. But we haven't really changed, and I would just humbly submit that I think there are things that we can do—reasonable things we can do that will bring some accountability. It will not eliminate these instances. It is beyond our power to eliminate evil. We cannot do that. We have to be humble about it. But in every area we work on, we can work in this body with the thought that we can do things that will make situations better and that will promote incremental improvements.

#### RESPONSIBLE TRANSFER OF FIREARMS ACT

Mr. President, I wish to speak about a bill that I am going to introduce called the Responsible Transfer of Firearms Act. As we all know, current Federal law prohibits nine categories of people from getting weapons. Probably the most known are convicted felons, people who have been adjudicated mentally ill and dangerous, and people who are under domestic violence prevention orders.

This is a bipartisan Federal law. Categories have been added over time in a bipartisan way by the House and the Senate. As far as I know, there is bipartisan support for this provision because you never see bills introduced to eliminate these categories of what I will call prohibited persons. These are people whom many in Congress—bicamerally and bipartisanly—have determined should not possess weapons.

Now, the problem is a whole lot of those people do get weapons because folks either give or sell them to them.

What is the current law with respect to giving or selling a weapon to somebody who is prohibited?

The current law basically is kind of a no-responsibility law. You are criminally liable if you give or sell a weapon to somebody who is in those nine prohibited categories, but you are only criminally liable if you knew or should have known that they were prohibited. I practiced law for a while. That makes prosecution virtually impossible, because somebody will give somebody a

weapon or sell it to them and then they will say: Well, I didn't know he was a felon. I didn't know he had been adjudicated mentally ill or dangerous.

There is no obligation on behalf of the seller. Now, we have put obligations on sellers all the time—affirmative duties and obligations—but in this area, we don't put an obligation on the part of a seller other than a registered and licensed gun dealer, who must go through a background check. We don't put any kind of obligation on anybody to do even minimal, reasonable steps to make sure that somebody is lawfully able to possess a weapon.

So what the Responsible Transfer of Firearms Act would do is it would revise the current formula. The current formula does have a liability for sellers but only under an elevated standard that really is almost impossible to meet. We would amend the Federal code, not to change the nine categories—those are the same—not to change the punishments for selling or transferring to them—that would stay the same—but we adjust the responsibility. It is a responsibility and accountability act.

So if you are putting a weapon in somebody's hands, either selling it or transferring it, you have to take "reasonable steps" to determine that the recipient is not prohibited from having that weapon. "Reasonable steps" is included in the statute—just those words. We don't say: You can only do that by showing one of the following five things. You can take any reasonable steps you think are necessary, but you have to take reasonable steps.

That is what this change in law would do. If you cannot show satisfaction to a court that you have taken reasonable steps, then you will be liable for putting the weapon into somebody's hands whom the Federal Government has said is not able to possess such a weapon.

This shift from the current framework would promote accountability and responsibility. Why should we let a seller just casually put a firearm into the hands of somebody who is prohibited by law from having it? Why should we do that? Why shouldn't there be some minimal accountability for a seller who is putting a weapon in the hands of somebody who has been determined not able to possess a weapon?

We put burdens on sellers. This is not a precise analogy, but if you go in and try to buy beer in a place, you are going to get carded. Why is that? Well, because we have put an affirmative burden on the sale of alcohol so that the seller has to make some effort to determine that the recipient is not prohibited from having it. We do the same thing with tobacco. There are other laws that put burdens on sellers as well, and this a minimal one—take reasonable steps.

To me the lives of some of these people who have been gunned down in those horrible crimes are just worth it. Let's just take reasonable steps. The

reasonable steps won't solve all the cases, but it will help keep weapons out of the hands of those whom we have determined, in this body, shouldn't have them.

I close and just say this: Of course, we have to be humble enough to acknowledge there is no one solution to the epidemic of gun violence nor is there a complete solution to it. There is nothing that we can do that will eliminate the possibility that we could wake up tomorrow and see the same thing on TV. Human beings will do evil things. That is not going to change. That is not going to be eliminated by what we do here.

But what we do as legislators in legislation is basically believe—and if we didn't believe this, we wouldn't be in this body—that as we legislate, we can improve situations. We cannot eliminate the possibility, but we can improve it. We can make it less likely that one of these prohibited individuals will get a weapon in their hands and use it against others.

So I just conclude where I started.

Alison and Adam were wonderful people. This is a community that is still really grieving. What compounds grief in my experience—not as a legislator but as a person—what compounds and deepens grief is a sense of hopelessness. Wow, this horrible thing happened. We have had this horrible loss, and there is nothing we can do about it. That tends to turn grief into despair and depression.

Sadly, I was Governor when the shooting at Virginia Tech took place, and I had to deal with 32 families and more who had been injured, and the broader community was hurting so much. When you have gone through an experience—and we see this in our own personal life because everybody has had grief in their own personal lives. If you go through an experience where there is a lot of grief and loss and you feel that it is pointless or there is nothing you can do to improve it or transform it into something better or improve it so that maybe somebody else won't have to suffer through the same experience, that tends to take grief and turn it into something even more damaging—despair and hopelessness. I think one of the things we are called to do as legislators in situations where there is grief is to show there is some hope we can improve, because I believe we can improve. I have seen too many instances legislatively and in the lives of people that we can improve and we can get better, and as a nation we need to get better on this issue. This bill won't do it all, but I think it will be a sensible way to get better and to show those who are suffering and maybe even despairing under this epidemic of gun violence that we are not just going to accept it and sink deeper into despair and grief, but grab on to it and try to make improvements.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from South Dakota.

Mr. THUNE. Madam President, I rise today to discuss the Iran nuclear deal. We are here today because several months ago Senators CORKER and CARDIN, the respective chair and ranking member of the Senate Foreign Relations Committee worked out an agreement to allow us to have this debate voted on here in the Senate, and there were 98 votes in support of allowing a vote on the Iranian nuclear agreement. In fact, it went to the President's desk, and the President then signed it into law. That set in place a process, which is where we end up today.

I certainly hope our colleagues who voted for this allow us to have that debate. It is an important debate. It has serious consequences for America's national security interests, and it certainly is something that shouldn't be minimized in any way. The American people need to have their voices heard in this discussion, which will take place if we are allowed to get on that resolution here in the U.S. Senate.

So I would hope that our colleagues on the other side—there was some discussion I read reporting of statements made by the President or by members of his administration, statements made by some of our colleagues here that perhaps they might block us from even proceeding to this resolution. I think that would be a big mistake. It would be a tragic outcome with respect to something that is this important to America's national security. It certainly is something which the American people deserve and have a right to have their voices heard.

So I am looking forward to this discussion. I hope throughout the course of the next few days we will have a chance to air this out because it is clear that one of the greatest threats to our national security is the possibility of a nuclear-armed Iran and a nuclear arms race in the Middle East.

Unfortunately, President Obama's Iran nuclear deal, which is really a nuclear concessions deal, increases rather than decreases that possibility.

There are numerous reasons to be concerned about a nuclear-armed Iran. Iran is the world's leading state sponsor of terrorism. That is well documented. It has been talked about a lot. Iran actively supports Hezbollah and Hamas, both of which pose an immediate threat to our ally Israel.

Iran incites regional instability, supporting the Houthis in Yemen and the Assad regime in Syria. Iran continues to commit human rights abuses against its own people, and Iran has a history of taking extreme measures to hide its nuclear enrichment program from the international community.

In response to Iran's nuclear activities 9 years ago, in 2006, the U.N. and the United States began to impose sanctions on Iran's nuclear enrichment

program. These sanctions were dramatically increased in 2010. The sanctions targeted Iranian businesses and financial institutions as well as members of Iran's Revolutionary Guard Corps or IRGC, who were responsible for killing hundreds of Americans and froze Iranian assets that would have been used by Iran to support terrorism throughout the region. This had a tremendous impact, effectively bringing Iran to its knees.

Thanks to the pressures the sanctions exerted on Iran's economy, Iran's leadership was under immense pressure to negotiate with the United States and its allies. In 2013 Iran agreed to engage in talks regarding its nuclear program. However, soon after Iran agreed to come to the negotiating table, the Obama administration inexplicably began making concession after concession, with Iran giving up very little in return. The result—a weak deal that is highly unlikely to stop Iran from becoming a nuclear power.

We have already heard from many of my colleagues why this agreement is a bad deal. Once this deal goes into effect, right off the bat Iran will have access to roughly \$140 billion, which even President Obama and Secretary Kerry acknowledge would be partly used to finance terrorism. The deal will also increase access to conventional weapons, allowing Iran to defend its nuclear infrastructure from military strike. By lifting the ban on ballistic missiles, Iran will be able to purchase a delivery system capable of carrying a nuclear warhead well beyond the confines of the Middle East. The deal will also allow Iran to continue its research and development into advanced centrifuges, permitting Iran to modernize its enrichment infrastructure and reducing the breakout period for a nuclear weapon to a few weeks instead of months.

The outcome of this agreement will be a more prosperous, better armed, more dangerous Iran, exerting its regional influence and continuing to sponsor terror. All of that will be achieved without Iran violating the terms of the agreement.

However, if Iran does decide to cheat, this deal will make that more possible. To begin with, for suspicious sites not currently on the list of Iran's nuclear facilities, Iran gets 24 days' notice before inspections can take place. Even more concerning, however, is the information leaked recently that the secret International Atomic Energy Agency agreement with Iran will allow Iran to provide its own soil samples to inspectors from enrichment sites such as the facility at Parchin. Think about that. The regime which has broken these agreements in the past and cheated in the past—again, well documented—will be able to furnish its own soil inspections.

Unfortunately, instead of acknowledging this when it was raised in committee, Secretary Kerry took on the role of apologist for Iran, defending the

deal by saying that private agreements with the IAEA are the norm. However, if the leaked information regarding soil samples is correct, this calls into question the entire credibility of the inspections regime. For this reason and many others, I strongly oppose President Obama's nuclear arms concession agreement with Iran, and I urge my colleagues on both sides of the aisle to do the same.

By rejecting this agreement, we can negotiate a better deal—one that will actually stop Iran's nuclear program and prevent Iran from getting a nuclear bomb. It is unfortunate that when we have the majority of the American people clearly opposing this deal that the President is not only willing to veto their opposition but to call doing so a victory.

I would like to expand a little bit of detail on some of the national security concerns with this nuclear agreement with Iran.

Since the Iran agreement was first announced in July, the Obama administration has repeatedly stated that we should at least give this deal a try, arguing that if Iran breaks its side of the agreement and pursues a nuclear weapon, we will have the same military options down the road that we have today. However, that is not true. We will not have the same options in the future that we have today. Right now, if a situation arose where Iran entered a breakout period and was pursuing a nuclear weapon, the United States or our allies in the region could conduct a targeted air strike on Iran's enrichment facilities.

For example, if we knew that Iran was using its nuclear enrichment facility at Fordow to enrich weapons-grade uranium, we could utilize our air superiority with bunker-buster bombs. Obviously, we would prefer to avoid a military strike, but if needed, we have that option, and Iran knows this.

However, under this agreement, in 10 years' time, Iran will have faster, far more efficient centrifuges that can operate in significantly smaller facilities that can be placed deeper underground with increased levels of fortification, making a military strike much more complex.

Right now Iran is using IR-1 centrifuges, which are basically 1960s technology; but under this agreement, starting around year 8, Iran can begin testing IR-6 and IR-8 centrifuges. In fact, as stated in page 10 of Annex 1, after the agreement has been in place for 8½ years, Iran can construct up to 30 IR-6 centrifuges and 30 IR-8 centrifuges. Why is this so significant? IR-6 and IR-8 centrifuges are far more advanced and estimated to be up to 15 times more efficient than the IR-1 centrifuges that they are using today. By increasing the efficiency of the enrichment process, Iran can significantly reduce the breakout period that is necessary to create a bomb.

On page 17 of Annex 1 of the Joint Comprehensive Plan of Action, under

the section titled "Centrifuge Manufacturing," the agreement states that at the end of year 8:

Iran will commence manufacturing of IR-6 and IR-8 centrifuges without rotors through year 10 at a rate of up to 200 centrifuges per year for each type.

The administration has repeatedly asserted that even if we destroyed Iran's enrichment facilities with an air strike, we can't turn back time and erase Iran's nuclear enrichment know-how.

While that may be true, we absolutely can and should prevent Iran from increasing its nuclear expertise, but this deal doesn't do that. Instead, it ensures Iran's knowledge will increase by solidifying its ability to develop more advanced centrifuges. Because these IR-6 and IR-8 centrifuges are so much more efficient in speeding up the uranium enrichment process, they will make it far easier for Iran to conceal and protect its nuclear program.

Referring once again to the facility at Fordow, when Fordow was first constructed, it was built to contain 3,000 IR-1 centrifuges, which meant that the facility had to be significant in size. IR-8 centrifuges, however, are estimated to be 15 times more efficient than the IR-1 centrifuges used at Fordow, which means that by using IR-8 centrifuges, Iran could replicate the enrichment capability of a facility like Fordow with a building containing not 3,000 centrifuges, but only 200 centrifuges. Such a facility can be the size of a house. By reducing the size of the facilities by this magnitude, Iran could build many Fordows in multiple locations, hiding them more easily and putting them deeper underground. Such facilities could be built within existing mines, making them extremely difficult to find.

As mentioned before, this agreement guarantees Iran will have the manufacturing capacity it needs to build these advanced centrifuges. Even within the parameters of this agreement, Iran could manufacture 200 IR-6 centrifuges and 200 IR-8 centrifuges per year starting around year 8. Since Iran would already have the manufacturing capacity for building IR-8 centrifuges, it would merely need to ramp up the production beyond the terms of the agreement and in a short period of time it could have operating enrichment facilities in multiple locations throughout the country. By the time these violations had been discovered and conformed, the advanced centrifuges would likely be in place, and Iran would have likely enough enriched uranium for a bomb.

But there is much more to it than that. Currently, according to publicly available sources, Iran's air defense capabilities consist of domestically produced, short-range surface-to-air missiles and Russian made, longer range SA-2 and SA-5 surface-to-air missiles, as well as a few Chinese CSA-1s. These systems are vulnerable to electronic countermeasures and pose very little



threat to American or even Israeli aircraft.

However, that is not where Iran's air defenses will be in 10 years. Under this agreement, the ban on conventional weapons sales to Iran will be lifted after 5 years. Russia has already agreed to sell Iran four batteries of S-300 vehicle-launched surface-to-air missiles. Depending upon the sophistication of these S-300 missile systems, they may be able to engage aircraft up to 200 miles away.

As we saw last month with Iran unveiling its new solid-fuel missiles, Iran's domestic military infrastructure will not remain static. Over the next decade, as Iran acquires more and more increasingly advanced weapons systems, its area denial capability will make airstrikes even more difficult. Will a future American President, therefore, have the same military options that we have today, as President Obama and Secretary Kerry claim? The answer is no.

We will still have military options available to us, but the calculus for carrying out a targeted airstrike will be much different down the road. Therefore, it is not realistic for President Obama to claim that future Presidents will have the same military options against Iran we have today. And the more the realistic possibility of a military strike decreases, the more likely Iran will be to violate the terms of the agreement and go after a bomb.

In 10 years' time, under this agreement, our best hope for Iran not attaining a nuclear weapon will be the Iranian Government voluntarily deciding it doesn't want one. That is not something I am willing to bank on.

Madam President, I also want to speak for a moment about Iran's support for terrorism and the idea put forward by President Obama that Iran will spend most of the soon-to-be-acquired economic wealth on its own economy. Even if we assume Iran's military spending remains what it is today as a percentage of Iran's budget, what would that mean going forward?

Well, there are many estimates on how much Iran spends on its military. Some experts put the figure at around \$10 billion per year, while others estimate the figure to be closer to \$15 billion or even higher. In addition, of the amount spent on Iran's military, about 65 percent is spent on Iran's Revolutionary Guard Corps—the IRGC.

In the first year of this agreement, between unfrozen assets and increased revenue from oil sales, Iran is expected to see an initial influx of around \$140 billion. Now, using conservative numbers, if Iran's military spending stayed the same in this coming year as a percentage of GDP, it would increase to almost \$15 billion, with \$9.5 billion going to the IRGC.

One of the main national security concerns we have regarding the IRGC is that Iran uses it to support terrorist organizations. Iran is the main supporter of Hezbollah in Lebanon and

Hamas in Gaza, both of which have provoked conflicts with Israel in recent years.

In addition, Iran's support of instability in the region is well known, with the Iranian Government providing funding to the Houthis in Yemen and military assistance to Assad in Syria. Many of our own casualties in Iraq were the result of Iranian-made bombs provided to insurgents by the Iranian Quds Force.

Last summer, the missiles being launched at Israel out of Gaza were primarily imported from Iran. It is no wonder Israel has been so opposed to this deal.

Even the Iron Dome system, which proved so successful during the last Israeli-Palestinian conflict, can be overwhelmed if enough missiles are fired at once. And now Iran, a country bent on Israel's destruction, is going to see a huge increase in military spending.

Even the Quds Force commander, Qassem Suleimani, the man responsible for supplying Iraqi insurgents with bombs that killed U.S. soldiers, will see United Nations and European Union sanctions lifted as a result of this deal.

President Obama keeps arguing that the danger of a nuclear-armed Iran far outweighs the short-term impact of Iran's increased support for terrorism. As we have discussed, I don't think this agreement prevents Iran from getting a nuclear bomb. But even if my colleagues disagree with me on that point, are we really willing to trade the lives of our allies in the short term to try to achieve this goal? That is not a risk I am willing to take.

In urging my colleagues to vote against this deal, I would also like to speak for just a moment about what would happen if Congress is able to stop this deal?

The President keeps saying a “no” vote on this deal will lead to war. Well, that is unrealistic and a clear attempt by the President to garner support for the agreement by stoking people's fears.

Iran is very aware of its own military limitations, and it knows what the outcome of such a war would be. For Iran, in the short term, a much more realistic response would be for it to try to keep its side of the agreement in an attempt to gain United Nations and EU sanctions relief. However, despite this attempt, the United States could double down on the U.N. sanctions that were in place prior to the December framework and threaten to use secondary sanctions against foreign businesses who wish to do business with Iran.

Given the size of the U.S. economy compared to Iran, this is a powerful deterrent. Since Iran's economy is already hurting, maintaining sanctions would provide more leverage for the P5+1 to get a better deal.

However, another plausible outcome following congressional rejection of the

deal would be for Iran to try to capitalize on congressional disapproval by seeking to divide Russia and China from the West to undermine the multilateral sanctions regime. Iran could try to achieve this by implementing certain commitments from the agreement but not others.

But even if China and Russia wish to do business with Iran, they both still have an incentive to try to achieve the original goal of the negotiations. It is not in China's interest for a nuclear-armed Iran to cause greater instability with global energy prices, and Russia doesn't want an Islamist regime in its backyard, which is prone to regional conflicts, acquiring nuclear weapons capabilities.

These scenarios I am describing have already been echoed by a chorus of experts who have pointed out the flaws in this agreement and offered alternatives. The vote this week is not—is not—a choice between supporting a bad deal or going to war. The vote this week is an opportunity to reject a bad deal in order to achieve a better outcome.

That is what we ought to be doing, and I hope we get the chance to get on this resolution and that we have the chance to get a full debate here in the Senate where the people's voices can be heard. I hope when it is all said and done, Members here in the Senate will come to the same conclusion I and many of my colleagues have, which is that this is a bad deal for our country, it is a bad deal for our allies in the region, and there is a much better outcome that can be achieved if the Senate will reject this bad deal and get us back to negotiations where we can achieve a better outcome.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### NOMINATION OF ROSEANN A. KETCHMARK TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Roseann A. Ketchmark, of Missouri, to be United States District Judge for the Western District of Missouri.

The PRESIDING OFFICER. Under the previous order, there will now be 30