

any of these nominations. Nobody comes and gives these fire-and-brimstone speeches about how bad these people are. Why? Because they are not. They have just been stalling and stalling. I repeat, this is the face of obstruction which we have been facing for 5 years during the Obama administration. Is it any wonder that the rule was changed that relates to nominations? We were spending all of our time trying to get the President to have a team rather than doing work on substantive legislation.

So we will see how late we have to work tonight. Whatever it is, we are going to do it. We are going to finish these nominations this week. If it goes into Friday, if it goes into Saturday, that is what we are going to do. We have to get this done.

Christmas is approaching, and I understand that. We all understand that. But this session of Congress does not end at Christmastime. We have work to do. We have to pass this budget. We have to do something for those Medicare patients. We have to do something for the military of this country with this Defense agreement that has been reached between the leaders of those two important committees—Armed Services and their counterpart in the House, whatever it is called.

So why waste this time? There is no reason to do this. Republicans are stalling. For what? To stop these nominations from going forward? They are going to go forward with a simple majority vote. I understand one of them may not go forward because some Democrats do not like the nominee, but that is the way it should be.

So we could confirm Nina Pillard right now. No one is saying a single word contrary to her being the quality candidate that we have said she is. She is nominated to sit on the District of Columbia Appeals Court, I repeat, some say the most important court in America; most say second only to the Supreme Court.

But instead, Republicans are insisting that we vote on her nomination many hours from now, after they have frittered away 30 hours of the Senate's time. There are no objections to her qualifications. The outcome of her vote is a foregone conclusion. So when people around here complain that they are not home with their families at Christmastime, here is the reason: Republicans' obstruction.

It is hard to imagine a more pointless exercise than spending hour after hour waiting for a vote on an outcome we already know. Republicans insist on wasting time simply for the sake of wasting time. Is it any wonder, I repeat, that the rule was changed? Here is why. It is no wonder Americans overwhelmingly support the changes made to the rules last month in order to make the Senate work again.

The Republican's partisan sideshow is another example of the kind of blatant obstruction that has ground the Senate to a halt. The work of the Sen-

ate has come to a standstill over the last 5 years. Members should be aware if Republicans stop squandering the Senate's precious time, rollcall votes are possible at any time this afternoon or this evening. It does not have to be like this.

With just a little bit of cooperation, we could hold votes in a timely manner so we can move on with the business before us. Unfortunately, we can not schedule votes without cooperation; that is part of the Senate rules. Cooperation is in short supply at the moment.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF CORNELIA T. L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination which the clerk will report.

The bill clerk read the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SENATE RULES AND HEALTH CARE

Mr. McCONNELL. Mr. President, I just listened to the majority leader complaining about what we are doing this week. He is the one in charge of the schedule. He has spent a week here on nonessential nominations, none of which are emergencies, all of which could be handled later. It was his choice to spend the week on nominations that are not emergencies as opposed to doing things like passing a DOD authorization bill or things like taking up a budget resolution or things like doing a farm bill. So the majority leader has a choice as to what we are going to spend time on. He has chosen to spend this week on 10 nominations.

Yesterday I talked about the left's "ends justify the means" quest for power and the lengths to which they are willing to go to satisfy it. The Obama administration and its allies have done just about everything to get what they want one way or the other, even fundamentally altering the contours of our democracy when they could not get their way by playing by the rules.

We saw the culmination of that with the majority leader's power grab in the Senate last month. The real world consequences of that power grab are most sharply illustrated by the very nomi-

nee before us, which I believe I heard the majority leader commenting on what a stellar nominee this person is.

Professor Pillard may be a fine person, but she is not someone who should receive a lifetime position on the second highest court in the land. She will be confirmed, however, because of the Democratic majority's power grab a couple of weeks ago. So let's take a look at her legal views. They certainly make one thing clear: The nominee before us is a liberal ideologue; in other words, just the kind of person this administration is looking for to rubberstamp its most radical regulatory proposals on the DC Circuit.

Let's take the so-called Hosanna-Tabor case. Last year the Supreme Court reinforced a core First Amendment principle when it ruled unanimously that churches, rather than the government, could select their own leaders.

Every single justice sided with the church's argument in that case. Every single one. It makes sense. Freedom of religion is a bedrock foundation of our democracy. I think every member of this body would surely agree that the government does not have any business picking a group's religious leaders for them. But Professor Pillard seemed to have a very different view. Prior to the Court's unanimous decision, she said the notion that "the Constitution requires deference to church decisions about who qualifies as a minister" in the case before the Court seemed "like a real stretch."

This is the nominee, after the power grab, the Senate is about to confirm, who said that, "It is a real stretch that a church would be able to pick its own leaders." This is an astonishing judgment from somebody who is about to end up on what we believe is the second most important court in the land.

But she went on from that. The position of the church in the Hosanna-Tabor case represented a "substantial threat to the American rule of law." How do you like that, Mr. President? It is a substantial threat to the American rule of law that a church should be able to pick its own leaders. A substantial threat to the American rule of law.

This was a case decided the other way from Professor Pillard's position, 9 to 0. Talk about radical. Talk about extreme. No wonder they wanted a simple majority to be available to confirm a nominee like this. I mean, even the Court's most liberal justices, as I mentioned, disagreed with Professor Pillard on this one.

One of them characterized that kind of position as "amazing." This is a member of the Supreme Court in the 9-to-0 decision, characterizing Professor Pillard's view as "amazing." In other words, Professor Pillard must think that even the furthest left Supreme Court Justice is not far enough left for her. So you get the drift of where she is.

We rightly expect justices on our nation's highest courts to evaluate cases

before them with a judge's even-handed mindset, not the absolutism of an ideologue. But just listen. Listen to the kinds of things Professor Pillard has said.

She has expressed sympathy with the idea that the rights of our Constitution—the same Constitution she would be charged with upholding—have “just about run out,” and that this necessitates a shift toward international law—a shift toward international law. Apparently, she feels the U.S. Constitution is no longer adequate, and we need to rely on foreign law to determine what we do here in this country.

She has said that abortion, essentially without limits, is necessary to avoid “conscriptio into maternity.” That even commonsense laws many American men and women support serve to “enforce incubation.”

She has referred to the types of ultrasound images that are now available to so many proud moms and dads to be as “deceptive images.”

Ultrasound is a “deceptive image,” according to Professor Pillard, perpetrated by the “anti-choice movement.” In other words, she appears to think that proud moms and dads should not believe their own eyes when they look at the images science has made increasingly available to us over the past few years.

It is an understatement to say that these sorts of views are worrying for someone the President wants on one of our Nation's top courts. In short, Professor Pillard does not seem like a person with the mindset or the temperament of a judge. She seems like a person with the attitude and disposition of a leftwing academic, someone who seems to come to conclusions based on how well they support her own theories.

Judges are charged with fairly evaluating the law that is actually before them, not the law as they wish it to be. So I will be voting against the Pillard nomination. It is important to keep this in mind as well. Nearly every single Democratic Senator voted to enable the majority leader's power grab last month. Those Senators are responsible for its consequences. That includes the confirmation of Ms. Pillard, regardless of how they vote on her nomination.

So I would urge Democrats to rethink the kind of nominees brought to the floor moving forward because now they are all yours. You are going to own every one of them. A simple majority. You own them. Extremist nominees like Professor Pillard are the reason the President and Senate Democrats took the unprecedented step of going nuclear 2 weeks ago. They unilaterally changed more than two centuries of history and tradition and violated their own prior statements and commitments so nominees like this could rubberstamp the President's most leftwing agenda items.

This is the playbook. Forget the rules. Forget checks and balances. Cer-

tainly forget the will of the American people. Do whatever it takes—whatever it takes—to get the President's agenda through. The other side of this, of course, is that Democrats are determined to change the subject from ObamaCare—anything to change the subject.

We now know that this President engaged in a serial deception in order to get his signature health care bill enacted into law. The White House debated whether to tell the truth or not on whether folks would be able to keep the plans they have. They decided not to tell the truth, a conscious decision to mislead the American people going back to 2009.

Their view was that the talking point was just too useful. They needed it in order to get what they wanted. So I would probably be looking to change the topic too if I were our friends on the other side of the aisle. Change the subject to Senate rules or nominees or anything else for that matter.

The last thing the majority wants to talk about is ObamaCare, because they own it 100 percent. Not a single Republican in the House or Senate voted for it. Every single Senate Democrat did. The problem is what Senate Democrats have done by going nuclear here in the Senate is really no different from what they did on ObamaCare. Once again they said one thing and did another.

The majority leader said publicly and repeatedly he would not break the rules, and then he did. He said he would not break the rules, and then he did. As I said a couple of weeks back, he might as well have said: If you like your Senate rules, you can keep them.

Here we are today. Here we are today ready to watch Senate Democrats rubberstamp an extremely liberal nominee to a lifetime position on a vote threshold the majority leader, back when he was in the minority and supported minority rights in the Senate, said would be disastrous for our democracy.

Anything it takes. Anything it takes to get this President's agenda around the checks that have been established to restrain power. Anything it takes to get around anybody who disagrees with them, whether it is ObamaCare or the judges they expect to defend it. Anything it takes, they are willing to do.

Let me say again that nobody who supported this rules change can walk away from nominees like Professor Pillard or their rulings. They own them.

Let's get back to ObamaCare for a few minutes because that is the issue the American people are most concerned about now. That is the issue the Democrats want to distract us from.

The American people should know what the liberal playbook is. The left believes the President's agenda runs straight through the DC Circuit Court. That is why they pressured Democrats to change the rules of the Senate to pack this court with folks like Professor Pillard.

The goal here is actually twofold: First, grease the skids for an agenda that can't get through the Congress. Then build a firewall around it by packing this court with your ideological allies. That way Democrats can keep telling folks what they think they want to hear about ObamaCare and anything else, but they can also rest assured that nobody is going to tamper with it.

All of this is in the context in which the national debate over ObamaCare and its failures should be viewed. None of it should distract us from what ObamaCare is doing to our health care system or to the millions of ordinary Americans who have been suffering under its effects.

Over the past couple of months the American people have been witness to one of the most breathtaking indictments of big-government liberalism in memory. I am not only talking about the Web site—the subject of late-night comedy—I am talking about the way in which ObamaCare was forced on the public by an administration and a Democrat-led Congress that we now know is willing to do and say anything to pass the law. They are willing to do or say anything.

In the Senate we had the “Cornhusker kickback,” we had the “Gator aid,” we had the “Louisiana Purchase,” and they finally got up to the 60 votes they needed. They had to get every single Democrat, and they got them any way it took. This is coupled with the grossly misleading statement: If you have your policy and you like it, you can keep it. If you have your doctor and you like him or her, you can keep them. The President and his Democratic allies were so determined to force their vision of health care on the public that they assured them they wouldn't lose the plans they had, that they would save money instead of losing it, and that they would be able to keep using the doctors and hospitals they were already using. The stories we are hearing now on a near-daily basis range from heartbreaking to comic.

Americans are very upset. Finally, the big-government crowd messed with an issue that affects every single American. In my State they have shut down the coal industry. That has had a big impact by creating a depression in Central Appalachia. One could argue they can go after the coal industry because it is confined to certain areas of the country. But on health care they are messing with everybody. The one issue every single American is affected by and cares about is their own health care.

The attention-getting stunts the President has engaged in—we can have those until we are blue in the face, but they don't change anything. All they do is remind folks of the way Democrats continue to set up one set of rules for themselves and another for everybody else. There is one set of rules for us and another set for everybody else.

Whether it is ObamaCare or the IRS or the NLRB or pushing the button on the nuclear option, it is all basically the same debate: We are going to do what we are going to do. We don't care what the rules are; we will break the rules. We will do whatever it takes to get what we want. It is a party that is clearly willing to do and say just about anything to get its way.

Millions of Americans are hurting because of a law Washington Democrats forced upon them. What do they do about it? They cook up a fight over judges on a court that doesn't even have enough work to do. This is a court that they were arguing a few years ago shouldn't have any additional members because they had a light workload, and now the court has an even lighter workload.

We know what this is about. As I indicated, I would want to be talking about something else too if I had to defend dogs getting insurance while millions of Americans lost theirs. It isn't going to work. The parallels between the latest move and the original ObamaCare push are all too obvious to ignore.

The majority leader promised over and over that he wouldn't break the rules of the Senate in order to change them. On July 14 he went on "Meet the Press" and said: "We're not touching judges." This was on July 14 of this year. That echoed the promise he made in January of this year. It sounds very similar to "If you like your policy, you can keep it."

Then there are the double standards. When the Democrats were in the minority, they argued strenuously against changing the rules. And let's not forget about the raw power at play. The American people decided not to give Democrats the House or to restore the filibuster-proof majority they had in the Senate in the last two elections—an inconvenient truth for our friends on the other side.

They don't own the place anymore. They did in the first 2 years, with 60 votes in the Senate and a 40-seat majority in the House, but not anymore. The American people took a look at that first 2 years and issued a national restraining order in November of 2010. Our friends don't want to be deterred by that. They are going to pursue their agenda through the courts and through the regulatory schemes the administration propounds. They changed the rules of the game to get their way. It is pretty clear that if one can write the rules of the game, they ought to be able to win.

Earlier this year the senior Senator from New York said Senate Democrats intended to "fill up the DC Circuit one way or another." It couldn't be any more clear than that. We will do it one way or the other. We break the rules, change the rules, and do what we want to do. The arrogance of power is on full display by an arrogant majority. It is on full display in the Senate.

Our colleagues evidently would rather live for the moment and try to es-

tablish a storyline that Republicans—I just heard it here from the majority leader—Republicans are intent on obstructing President Obama's judicial nominees. It is a storyline that is patently ridiculous. One can keep saying things over and over, but it doesn't make it true. It doesn't make it true to keep saying the wrong thing over and over.

Here are the facts. Before this current Democratic gambit to "fill up the DC Circuit one way or another," as the senior Senator from New York said, the Senate had confirmed 215 judges and rejected 2—some provocation for breaking your word and breaking the rules of the Senate in order to change the rules of the Senate. That is a confirmation rate of 99 percent. Republicans have been clearly willing to confirm the President's judicial nominees. And on the DC Circuit, we recently confirmed one of the President's recent nominees by a vote of 97 to 0.

The Democratic strategy of distract, distract, distract is getting old. It is not working. The American people are not listening to this ridiculous argument. They are worried about their health care and are angry at the people who caused them to lose their policies. In my State 280,000 people have lost their policies, and on the exchange 26,000 have been able to get private policies. The rest of them are all Medicaid recipients.

The Democratic playbook of broken promises, double standards and raw power—the same playbook that got us ObamaCare—has to end. With the help of the American people, we will end it in 1 year. Meanwhile, Republicans are going to keep pushing to get back on the drawing board on health care—to replace ObamaCare with real reforms that help rather than punish the middle class.

At this point I am going to refer to some constituent letters I have received related to ObamaCare that the Senate would find noteworthy.

This is a letter from a constituent in Bowling Green:

I am a 35-year-old college graduate and represent many hardworking middle-class Kentuckians who are being directly impacted by . . . ObamaCare. I am a married father of 2 young children. We are, by most accounts, an average American family. Before [ObamaCare] was passed, my family was insured through a health insurance policy purchased on the open market. We shopped several different policies and chose the one that was the best fit for our needs.

Recently, we received a notice from our insurer that our plan didn't meet the requirements of the [new health care law]. According to the letter, we were required by law to be transitioned into a plan that did meet these new requirements. Also included in the letter was our new premium. That is what shocked us. According to the letter, our premiums would be increasing by 124%, more than double what we had budgeted for this expense.

According to a speech by the Vice President on September 27th [of this year], a family of four earning \$50,000 a year could get coverage for as little as \$106 a month. Should I have to pay 8 times that amount because

my wife and I both work hard to provide for our family and earn more than the Vice President's limit of \$50,000 a year? Why should the price of a product be based on my ability to pay?

That is a very good question: "Why should the price of a product be based on my ability to pay?"

He continues:

Would that work at the gas station? Should the price of a gallon of gas be decided by my income tax return? Or at the grocery store? Should the price of a gallon of milk be determined by my income tax return? Or in shopping for a home loan? Should the interest rate on my mortgage be higher if I earn more than \$50,000 a year? This predatory pricing structure runs contrary to the basic American foundational principles of Free Enterprise and is illegal in every other marketplace. It should be illegal in health care too.

Larry Thompson from Lexington:

My health plan that I have had for 10 years just got canceled, and the least expensive plan on the exchange is a 246 percent increase—that means hundreds of extra dollars per month we don't have. Obama lied and made a promise he couldn't keep when he said repeatedly if we wanted to keep our current health care policy we could.

That is what Mr. Thompson from Lexington said. And he continues:

He has really affected our lives for the worse—much worse. I'm so mad. We must stop insurance companies from canceling policies—now.

And of course the reason they are having to cancel policies is because the law makes them.

Sherry Harris from Nicholasville in my State:

Did you know the Lake Cumberland Hospital in Somerset is not on the Anthem network? Which means anybody in Pulaski and surrounding counties that qualify for a subsidy and want to use it will have to drive to London, Corbin or Lexington to get care?

Harriet White from Rockfield, which is in Warren County, near Bowling Green:

Dear Senator McCONNELL: I am deeply upset because of the effect this health care act has had on our family's health insurance. It has negatively impacted our finances and our quality of care. The President promised that if you had health care, you would not be impacted. The sad truth is that, like my co-workers, my deductible has doubled, along with my premiums. The only way to be able to adjust is for us to either reduce or stop our 401(k) contributions. This is hardly affordable health care. I don't understand why such a blatant lie has been allowed to go this far. Do we not as American citizens have the right to choose basic services? I don't think the government should make choices for the people that impact us in such a negative way. Thank you for your time, and please keep fighting this gross abuse of power.

Aaron McLemore from Louisville:

Seeing as I'm a single male (31, policy being cancelled) with no kids or dependents, and I'm paying for pediatric dental care and maternity care, it doesn't make a whole lot of sense to me.

This is a single male, age 31, having to pay for pediatric dental care and maternity care, and he says it "doesn't make a whole lot of sense to me." He makes more than \$100,000 a year and doesn't qualify for a subsidy on the

Obama exchange. So the current policy of this 31-year-old is being canceled. A new policy from the exchange will more than double his monthly premium and nearly double his yearly out-of-pocket maximum. His higher costs aren't subsidizing lower income policyholders whose subsidies have already been paid by the government, but he is providing a subsidy in another way: The new act requires him to buy a policy with features he doesn't need.

What ObamaCare is doing is moving McLemore out of the individual market, where people are sorted by age and health history and scope of coverage, to a market more like the traditional employer-based group policy in which young and old workers get the same coverage and pay the same premium.

Mr. and Mrs. Spears from Louisville:

I think you should know what is going on here in Kentucky with Kynect—

That is the Kentucky Web site—

I had to sign my wife up since our governor canceled all of the KyAccess policies effective January 1, 2014. I signed up through the benefits firm, advising them that I wanted no subsidies since we have always paid our way in 42 years of marriage. He told me the full pay option of \$517 per month and advised no income verification was necessary since no subsidies were involved. So I chose the Kentucky Co Op plan, as I felt the monies would stay in Kentucky with this plan.

He went on to say:

And then I received four mailings from Kynect. One stating she was declined coverage unless I sent income verifications; also one stating I have to fill out a voter registration and return as they have no information on my voting record.

So what does whether you are registered to vote have to do with signing up for ObamaCare?

The letter continues:

I called Kynect today and advised them I am receiving no subsidies and do not feel I should be required to send this information to them. And if they wanted this information, I file taxes every year and would be easily accessed. In regards to voter registration, I advised this has nothing to do with health registration, and I strongly objected to the language linking the two in the letter. Any clear thinking person would be upset at our State government trying to bring voter registration into this mess, not to mention personal information they should not need since no subsidies are involved.

These stories go on and on.

Lana Lynch from Brandenburg:

My out-of-pocket expenses for my family of five went from \$1,500 a year to \$7,000 a year. The best policy that is available by my employer has a \$7,000 out-of-pocket a year [provision].

And she works for a very large health care provider.

Jeannine Gentry from Ekron:

We are covered under my husband's policy through his employer. We have not found out exactly how much the premium is going to rise but have been told to expect between 150 to 300 percent increase per paycheck. We do know for certain that our deductible will rise from \$5,000 annually to \$8,500.

Ann Knauer from Shepherdsville:

I received my insurance papers from United Healthcare and found that my pre-

miums had risen from \$214 to \$480 a month. I only get \$1,181 in Social Security a month. That's after my Medicare payment. So I went online to see if I could get my husband signed up for this ACA insurance. I filled out the information, but was told that what I stated for our income was incorrect and that I needed to send in proof of my income. Then they insisted we fill out this form about voter registration. We are already registered to vote and felt this was completely unnecessary. The form did have a spot that stated that we were already registered, but I just don't trust the Web site, so we declined. We got forms in the mail anyway. I'm just going to stick with my old insurance and pay the higher premiums because I know what it covers. I have Medicare and United Healthcare. I have kept this insurance because of my husband, who is also retired but not covered under any other insurance. My insurance came from my job that I had before I retired, as part of the retirement package.

Mike Conn from Prestonsburg. And I might say that Prestonsburg is in eastern Kentucky, in the heart of Appalachia, which is also suffering a depression as a result of this administration's war on coal. So this person who corresponded with me is also living in the middle of a depression-riddled part of my State also created by the Obama administration.

Here is what he said:

A policy that has similar coverage to what we had would cost us around \$1,100 a month. This is a 100 percent increase for me and my wife. I was informed by the individual that was helping me find coverage that it was because we live in eastern Kentucky.

Apparently their insurance company is not available there.

Finally, he says:

We will not pay that.

Giselle Martino from Prospect:

My premium health care, at premium cost to me, is being canceled. I paid a very high premium to have a major medical plan. I am now forced into the exchange for a lesser plan with more exclusions and higher deductibles. I will most likely never reach these deductibles. How does this help me? I'm basically paying into the plan for the others. If I must pay for my higher tier heart drugs anyway, why should I bother with the health plan? What a disappointment this administration has caused.

Cheryl Russell from Owensboro:

We got a letter from our insurance company saying our current policy will not meet the Affordable Care Act, which means it will go away. According to our insurance company, we will have to take pediatric dental and vision insurance. We don't have kids. They said it was because of ObamaCare. They are allowing us to keep our plan until December 2014, for an additional \$38 more a month, so we can find another plan. Another plan through this company that we had our whole life will cost us at least \$900 to \$1,000 a month. It will cost us over \$150 more a month plus our deductible goes up to \$5,700. I sent you a message last week. I am sending this again. Please keep taking a stand against ObamaCare. Our President lied to us. Not only are we going to lose our insurance, but when we go to a different policy we have to pay more. We will never be able to retire. We are 58 and 56 years old. We will have to work the rest of our lives just to pay for our own insurance. The company we work for doesn't provide it. This isn't fair and it isn't right. Thanks for taking a stand for all those who are in Kentucky.

So, Mr. President, in wrapping up my remarks, here is the situation. On Christmas Eve 2009, on a straight party-line vote—60 Democrats voting for and 40 Republicans voting against—the administration jammed through a 2,700-page rewrite of 16 percent of our economy. The goal, one could argue, was a noble goal—that of trying to reduce the number of uninsured in America from an estimated group of about 45 million Americans.

The first problem with this particular solution is that CRS—the Congressional Research Service, which doesn't work for either Republicans or Democrats—says when all is said and done we are still going to have 30 million uninsured. So what is the cost-benefit ratio of taking \$1 trillion out of the providers of health care—roughly \$750 billion in reductions; cuts to hospitals, home health care, nursing homes and the like, hospice; billions of dollars in taxes on medical devices; taxes on health insurance premiums kicking in the first of a year; a \$1 trillion impact on the providers of health care—and over on the consumer side I have just given a series of stories about how it impacts the consumers of health care: higher premiums, higher deductibles, lost jobs, a record number of part-time employees, and wreaking havoc on the American economy, the consumers of health care, and on the providers of health care—all to reduce the number of uninsured from 45 to 30 million.

This has to be the worst cost-benefit ratio in the history of American government, all of this disruption—this catastrophic impact on 16 percent of our economy—in order to make a marginal reduction in the number of uninsured. This has to be the biggest mistake in modern times. In fact, I am hard-pressed to think of a single bigger mistake the Federal Government has made, and it has made some whoppers over the years. I am hard-pressed to think of a single example that comes anywhere close to this, a gargantuan, massive mistake, which has had a lot to do with the fact that we have had such a tepid recovery in our country after a deep recession.

The pattern since World War II has been that the deeper the recession, the quicker the bounce-back—until this one: a deep recession, a tepid recovery. The government itself is the reason for that: massive overregulation, an army of regulators who will now have their work sped through the DC Circuit Court who believe if you are making a profit you are up to no good; you are obviously cheating your customers and mistreating your employees. They are here to help you. This massive bureaucratic overreach has definitely slowed our recovery.

So I hope the American people will give us an opportunity in the not too distant future to pull this thing out root and branch and start over and do this right.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from West Virginia.

A NUCLEAR-ARMED IRAN

Mr. ROCKEFELLER. Madam President, I wish to speak about an issue of great importance to the national security of the United States and to all of our allies—which is, preventing Iran from ever having a nuclear weapon. There is no doubt in my mind that we will in fact do that, but certain things have to happen. The question is how, not whether, we prevent a nuclear-armed Iran.

For the first time in years, there is a real opportunity to take a good step to verifiably eliminate Iran's nuclear weapons capability through tough negotiations rather than the alternative—which is, inevitably, acts of war.

The initial interim agreement between the P5+1 and Iran is an encouraging first step, and I urge my colleagues not to put it at risk. How would they do that? By passing new sanctions right now. There is a lot of talk about that, and it is easy to look tough. I am kind of amazed, to be honest with you, that, I don't think, anybody from our side has gotten up and made a speech about this subject on the Senate floor. I meant to yesterday but I couldn't. I thank Senator JOHNSON, chairman of the banking committee, who has come to the rescue of all of us. He is not going to allow it to happen, and I totally congratulate him for that act of quiet and strong courage.

Instead, we should simply state the obvious: If Iran reneges or plays games, there is no question in anybody's mind in this Senate that we will quickly pass new sanctions the very moment the need arises. To me, this is a clear-cut case. Again, I frankly do not understand why more of us, at least on this side, have not gotten up to make this case. I think I have some ideas, but I do wonder.

There is still a long way to go, no question. But this diplomatic opportunity is real. Why? Because Iran wants and needs to find a way out of the financial isolation that our crippling sanctions have inflicted on its government, its business, and its people. It is devastating what our sanctions have done.

Iran's people elected a president who proposed a different path. Ayatollah Khamenei, Iran's Supreme Leader, has given President Rouhani some flexibility to try and find an agreement. That is unprecedented, and most people think it is for real. We shall see. They did in fact agree to the initial deal. So already, one step has been taken with a good result. I don't think it is a coincidence.

The immense power of U.S.-led global financial sanctions, backed up by our allies, has created the opportunity to resolve this issue diplomatically, with verifiable agreements and skeptical inspectors, rather than with bombs or boots on the ground.

I have spent much of my tenure on the Intelligence Committee, going back before 9/11, with the Director of National Intelligence, the CIA, the NSA, the FBI, and the Treasury Department to build our tools to exploit and to freeze the international web of financial networks that enable terrorist and proliferation programs—particularly Iran's nuclear programs. I have staunchly supported the powerful multilateral sanctions regime that is currently suffocating the Iranian economy and forced the current Iranian regime to the negotiating table. They would not have been there otherwise. The effect of inflation and devastation of economic production and all the rest is devastating.

This initial agreement is the first concrete result of those sanctions. It stops progress on Iran's nuclear program. It neutralizes Iran's most dangerous stockpile of nuclear material—that is, 20 percent of enriched uranium—and it establishes strong monitoring mechanisms that enable inspectors to verify that Iran is in compliance with its commitments.

The first step maintains the powerful sanctions regime that has forced Iran to the table. The agreement maintains that. The very small amount of targeted and reversible financial relief that it provides—roughly \$7 billion out of \$100 billion in sanctions that the agreement leaves fully in place—only underscores the grip that we and our allies have on Iran's financial position. The grip will not loosen during this 6-month agreement as we try to go to a next step. We will continue to control and limit Iran's access to money during the 6-month agreement. If Iran in fact reneges on the terms of the interim deal, Iran will not even get all of the small relief that we have agreed to. They will, however, get more sanctions, and over the next 6 months, the small amount of financial relief that Iran can gain in the deal will be dwarfed by the amount of their loss in oil revenue that our continuing sanctions will deny Iran. That was in place; that is in place. Iran will be in worse shape financially 6 months from now than it is today. That is a fact. The pressure does not relent. It just keeps going. So it is a good situation—tough, agreed to, and in place.

That is why Iran needs to complete a final comprehensive agreement to eliminate its nuclear weapons capabilities. Does that guarantee it? No, it doesn't. But we are a step further than we were before because this interim agreement does not give Iran what it needs to escape financial ruin—which counts.

I appreciate the concerns of colleagues who want more now. But we must give this opportunity a chance. However you see the first step, whatever your view of it is, the fact is that today Iran is further from a nuclear weapon than it would have been without this deal that we have just completed. We have accomplished this first

step through diplomatic strength, without a shot fired. I think we can agree that is pretty good.

We all want to put pressure on Iran to comply with the commitments it has made to the interim agreement—and we will—and to agree to a long-term comprehensive deal—and we hope—that will prevent it from ever developing a weapon. But we have taken the first step.

My colleagues, the pressure already exists for Iran to continue on this diplomatic path. Again, if Iran reneges on the commitments it has made in this agreement or balks at a final deal that verifiably ends its nuclear weapons capabilities, we will go right to, without doubt, the Congress imposing new and ever more powerful sanctions on Iran. But we don't have to do that now. In fact, it is a terrible mistake to do that now.

Given the indisputable credibility of that threat, I urge my colleagues to consider how unnecessary and how risky it would be to preemptively introduce new sanctions right now. New sanctions now could be criticized as a violation of the interim agreement. It could be blown up that way. Such a move would separate us from our negotiating partners in the P5+1 and it could complicate the already difficult negotiations of a final agreement which we all pray for.

I know some Senators doubt these risks. But I ask my colleagues this: If there is any chance at all that new sanctions right now might disrupt the agreement or jeopardize a future agreement, why on earth would we risk that? Why would we risk that? We know where we stand. We know where we are going. We can't be sure that we are going to get there, but we know that we always have the power to increase sanctions if they try to avoid certain things. But they haven't. So why pile on now and threaten to blow the whole thing up? Why would we risk an opportunity that may very well be the only chance we have to resolve this enormous problem without the use of military force? I do not know of an alternative to that.

If we lose this diplomatic opportunity, then the use of force will be the only option to stop Iran's path to a nuclear bomb. All of us have lived with war for the past 12 years. Intimately, painfully, horrifically, we have all seen close up the incalculable financial and human cost that has come with these wars and the burden that the wars now put on our troops, their families, our economy, and, therefore, our people. This has only hardened my resolve to ensure that this immense sacrifice never happens unnecessarily—that we take great care to exhaust every possible avenue to diplomatic resolution.

Colleagues, we have now an opportunity to eliminate Iran's nuclear weapons capabilities. We can do it peacefully. Let's not put that at risk.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.