

of the Iran Nuclear Agreement Review Act. I thank Chairman CORKER, who is on the floor here with me today, and Ranking Member CARDIN, also on the floor, for their statesmanship and the spirit of bipartisan compromise that they exhibited in negotiating the act. They did a great job.

According to the legislation, the President must submit any final agreement to Congress. Congress would then have 30 days to hear from negotiators and outside experts and to determine if additional action is warranted, including a resolution of approval or disapproval.

I believe congressional oversight is appropriate because the President, in order to implement any agreement with Iran, will need to set aside sanctions put in place by Congress. I also voted for this bill because it reasserts the proper role of Congress in providing oversight of the President's execution of foreign policy.

As a member of the Senator Foreign Relations Committee, I believe the best way to resolve the standoff over Iran's nuclear program is a hardnosed agreement that cuts off all paths Iran could take to pursue a nuclear weapon.

It was therefore crucial for me that the legislation considered by the committee not hinder our negotiators' efforts to reach a strong agreement. I believe that standard should be maintained as the full Senate considers this legislation.

I believe it is also essential that the spirit of cooperation and bipartisanship that was demonstrated by Senators CORKER and CARDIN in forging a bipartisan bill continue this week as the full Senate takes up the Iran legislation. Amendments that undermine the administration's negotiations or structurally alter this careful bipartisan compromise should be rejected by the Senate.

While I supported this bill in the Foreign Relations Committee, if the bipartisan nature of the legislation is eroded on the floor, the bill will no longer merit my support. This is a serious matter that will require the Senate to rise above the desire of some to force votes on poison-pill amendments that would destroy the bipartisan balance. We have to rise above politics here because we are confronted by a dangerous and unacceptable status quo in Iran.

The benefits of a strong final deal could be significant. Such a deal would stop Iran from acquiring a nuclear weapon and ensure that it could not pursue destabilizing activities in the region with impunity. It would prevent a nuclear arms race in the Middle East and advance greater long-term security for our regional allies. That is why, even as Congress reaffirms its role in reviewing any final agreement, we need to give the administration and its international partners every opportunity to bring these difficult negotiations to a successful conclusion.

With so much at stake for the United States, for Israel, and for the entire

world, it is more important than ever that the Senate rise above partisan politics and reaffirm bipartisan cooperation.

I yield the floor.

I suggest the absence of a quorum.

I withhold the suggestion of the absence of a quorum.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I wish to thank Senator SHAHEEN. She talked about the bipartisan way the committee operated. She played a large part in bringing us together in the Senate Foreign Relations Committee and working over the recess. I want to thank the Senator for her input and the manner in which we were able to strengthen our negotiators and maintain the proper role for the Congress.

Mrs. SHAHEEN. Mr. President, if I could respond, I think one of the reasons for the success of the agreement was because of the efforts of Senator CARDIN and Chairman CORKER to solicit input from members of the committee to see what people could agree to and, where we had concerns, to respond to those in crafting the legislation. It truly was a bipartisan, very statesman-like effort, and I thank the Senators.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### PROTECTING VOLUNTEER FIRE-FIGHTERS AND EMERGENCY RESPONDERS ACT—Continued

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

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

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. FRANKEN pertaining to the introduction of S. 1112 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRANKEN. Mr. President, I yield the floor to the good Senator from Texas.

The PRESIDING OFFICER. The majority whip is recognized.

Mr. CORNYN. Mr. President, today and for the next few days we will have the opportunity to consider a very important piece of legislation, the Iran Nuclear Agreement Review Act of

2015—a piece of legislation that, like all the legislation we consider here, is important, but this particular legislation is important to our national security and, indeed, it is important to the peace and security of our allies around the world.

This bill represents a good, bipartisan effort. It passed unanimously out of the Senate Foreign Relations Committee by a vote of 19 to 0 earlier this month.

The reason this legislation is so important is because it would guarantee Congress the opportunity and the time necessary to scrutinize any agreement reached between the Obama administration and the P5+1 nations that are currently negotiating on the Iranian nuclear capacity. It would also prohibit the President from lifting sanctions on Iran during this period of review.

This is not important because we are U.S. Senators; this is important because we represent the American people, and the American people need to understand what is in this agreement and what it means to their safety and security and to that of future generations.

I think it is critical that Congress have this opportunity to understand completely and thoroughly any deal that is cut between this administration and Iran and, of course, its implications, particularly on a matter that is so vital to our national security. If the Congress can have a voice on ongoing trade negotiations—which we do—with many of our allies, how much more so should Congress have, at the very least, a review of the final negotiated deal with one of our stated adversaries?

As I have made clear before, I have serious reservations about the framework that has been announced with Iran. This framework, as it is called, is right now very vague, and it strikes me as somewhat convoluted. It also represents a significant departure from longstanding U.S. policy to prevent an Iranian nuclear weapon and instead puts us on a path—a feeble path, at that—to try to contain an Iranian nuclear weapon. Such an outcome is irresponsible, unacceptable, and dangerous. We simply cannot trust the Iranian leadership with threshold nuclear capabilities, which is exactly what the President's framework would do at this point. The concept of good-faith negotiations between us and Iran is a fantasy. Iran is a rogue regime and the world's foremost sponsor of international terrorism, and to trust them—to trust them—would be laughable and also reckless.

Iran and its proxies have been attacking and killing Americans and attempting to undermine our national security interests for at least the last three decades. Unfortunately, Iran's proxy war throughout the Middle East is well documented. Right at this moment, Iran's regional adventurism continues to destabilize areas where American interests are at stake, including war-torn Syria, Yemen, and Iraq. Even

more worrisome, Iranian officials have publicly stated that even during this period of “understanding,” while the details are being worked out, Iran has made clear that its true intentions are to destroy one of the United States’ most stalwart allies, Israel, and to further Iran’s aspiration as a regional hegemon and Iranian empire. This is the kind of country—a country that has been on our own State Department’s sponsors of terrorism list since 1984. This is the administration that is being negotiated with by the Secretary of State and the Obama administration’s representatives. That is why this bill is so important, because we need a congressional backstop against an Iranian regime that is well known for being deceptive and, frankly, lying to international institutions and inspectors.

One thing this legislation does do, which I applaud, is it guarantees Congress the time and the opportunity for us to scrutinize, debate, and judge this deal if it is made by the summer. Many of our Senate colleagues have ideas about how to further improve the bill, which is admittedly not perfect. No piece of legislation ever is.

I look forward to a lively and healthy debate on the Senate floor. This will be an important debate on a serious matter of national security and one that has a clear ramification for generations yet to come. That is what the United States—the Founders of our country—designed the Senate for. I expect the Senate will be doing what only it can do—having a lively debate, having a fulsome review of this legislation, and then voting on the outcome. But I am thankful to those who produced this bipartisan piece of legislation, and I am glad that we are united in our strong belief that robust congressional review of any potential Iranian deal is an absolute necessity.

On behalf of the American people, America’s elected representatives should be able to get any and every detail on this emerging deal. We should have the time and the space to review it and make sure we understand its terms and its implications. We need to be able in this debate to voice our concerns and ultimately have a timely opportunity to prevent this deal from being implemented if we conclude in the end that it is not in America’s best interests.

Going forward, I hope the spirit of bipartisanship that has brought us this far, so far, is evidenced in this Chamber over the debate that will ensue. I look forward to discussing this legislation and providing a clear path for congressional review of any potential deal President Obama may make with Iran.

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

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

Mr. KING. Mr. President, I rise today to speak to the bill that is before us with regard to the Iran negotiations. I wish to address two fundamental and major segments of this process. One is the process and the other is the substance of the agreement which, hopefully, will come before this body at the end of June or July.

First is the process. We are operating in a constitutional gray area. There is no question that the Constitution assigns principal responsibility for the conduct of foreign policy to the President, but it also assigns responsibility to the Congress—responsibility with regard to treaties, responsibility with regard to funding the foreign policy of the United States, and responsibility with regard to approving foreign policy officials. So there is an opportunity here for us to break, in a sense, new ground to establish a rational, formal, predictable process for considering this important issue.

If we don’t pass a bill, such as the one that is before us today, we will be in a kind of disorganized, chaotic situation of what will be the congressional reaction, what is Congress’s role, how will it be played out, and how will it work. I believe that it is very important for us to establish this process before the agreement is laid before the world and the American people. It sets forth a process whereby Congress with can weigh in in a meaningful way and determine the merits and the quality of the arrangement that is being set before us.

I cannot imagine a more solemn responsibility for this body than the consideration of this matter. This is a decision which will affect the United States, our ally Israel, and all the countries of the Middle East for generations to come. This is a consideration that must be taken on the merits, on the facts, on the data, on the actual alternatives—and I will talk about that in a minute—that we have to the deal, or the arrangement, that we hope will ultimately be brought to us later this summer. Let’s treat this issue on its merits, and, please, to my colleagues, let’s not treat it as simply another partisan issue.

We have a tendency around here for everything to become a partisan issue. A great Republican Senator of the 1950s said that “politics should stop at the water’s edge.” That means that this kind of issue, which involves war and peace and ridding or preventing a major country from obtaining nuclear weapons and thereby destabilizing the region and possibly the world, is the most solemn kind of issue that we can face.

I know that there are people in this body who are not supportive of the President. They oppose the President. They don’t like what he did on health care or don’t like what he did on immigration. This is not the place for partisan politics. That does not mean I am

saying we should roll over and do whatever the President says. I don’t mean that at all. What I mean is that this matter should be considered in the context of the facts and the merits. What will it actually do and what are the alternatives?

It is not about whether we agree with this President or whether we want this President to have an international accomplishment on his resume. We have to try to separate ourselves from that kind of consideration.

Let’s talk a bit about the agreement itself. The first thing to say about it is that it doesn’t exist yet. It has not been finalized. We don’t know what it is. I am a little surprised, frankly, when I hear many of my colleagues say that it is a terrible deal and won’t work, when we don’t even know what it is.

It is true that we have a framework. Interestingly enough, many of the same people who are saying this is a terrible deal are the same people who said that the joint plan of action 1½ years ago was terrible—a historic mistake. It turned out to be a very important step toward an agreement and essentially froze Iran’s nuclear program for the past 18 months.

Let’s take a deep breath and reserve judgment about whether this is a good deal, a bad deal or something in between until we actually see what it is and see what is signed. Hopefully, there will be something signed. We don’t even know that for sure.

Clearly, the framework agreement that was announced a few weeks ago is an important step in this process. It gives us some information, but it does not give us the all-important detail.

First, let’s do “ready, aim, fire,” not “ready, fire, aim.” Let’s understand what it is we are debating and talking about before we fill the airwaves with rhetoric about whether this is a good or bad deal.

Second, it has to be a good deal or we should not approve it. If the deal is illusory and structured in such a way that Iran has a clear path to the bomb and it would not slow them down, and, in fact, would facilitate it in some way, clearly we should not approve it and it should not be before us.

I start with the premise that, A, we should hold our fire until we see what it actually says, and, B, it has to say the right things. It has to affirmatively stall, delay, and prohibit Iran’s path to a nuclear weapon, and it must be totally verifiable. Ronald Reagan, of course, said “Trust, but verify.” In this case, it is don’t trust and verify to the nth degree.

I will submit that verification is the heart of the agreement, and it has to involve technology and people on the ground. It has to involve an openness to inspections that is unprecedented. We have experience from dealing with North Korea. We had a “kind of” agreement with North Korea which turned out not to be sufficient, and, in fact, they moved toward nuclear weapons by cheating.

We cannot make that mistake again, and verification is the heart of it. It has to be as vigorous and as intrusive as is necessary in order to assure us and the world that Iran is not cheating and is not moving in any way, shape, or form toward a nuclear weapon.

In this regard, I think we are extraordinarily fortunate in this moment of history when this particular negotiation is taking place, in that one of the President's principal advisers, the Secretary of Energy, happens to be a nuclear physicist. I don't know if we have ever had a nuclear physicist in that position before, but he is uniquely positioned to understand the details and the implications and the alternatives that can help us to assure that this arrangement provides the protection that we believe must be the case.

In assessing this arrangement—whatever it is—I start with the premise that it has to be solid, verifiable, and meaningful. It cannot be just window dressing. It has to stop Iran's progress toward a bomb and create at least a 1-year breakout period so that the other alternatives can be exercised if they start moving in that direction. In order to assess that deal, it is imperative that we also assess alternatives. We cannot just say: Well, this is good or bad. It has to be, compared to what? There are really only two alternatives that I can see. If we don't make this arrangement, one alternative is more severe sanctions—more sanctions. Some people throw that out as if it was easy. "More severe sanctions" comes "trippingly on the tongue," as Shakespeare would say.

What is missing in this discussion is that we are not the only player here. This is not Barack Obama and the Supreme Leader. This is not the United States and Iran. This includes five other major countries, members of the Security Council of the United Nations, major countries that are involved in this whole discussion and negotiation, but most importantly, they are engaged in the sanctions.

There is no doubt that our sanctions are important, but it is not only our unilateral sanctions that are necessarily providing all of the pressure on Iran. In fact, an argument can be made that it is the participation in sanctions by other countries in the world, not only by the P5+1, but by other countries as well that are not buying Iranian oil. We have not bought Iranian oil for 35 or 40 years. But people not buying Iranian oil include countries such as China, India, and Japan. Their decisions are contributing to the pressure that has brought Iran to the negotiating table.

If the world decides this is a sufficient deal and sufficiently restricts Iran and that the verification is as vigorous as it needs to be—if the world decides that and we say, the heck with you, we are walking away, they may say that we have taken that step unilaterally and against the best judgment of what this deal means for keep-

ing Iran from a nuclear weapon. Then the sanctions regime starts to fray, and, indeed, it starts to unwind. We can do all we want. We can stomp our feet and do more sanctions, but if the rest of the world is not with us, it is not going to be effective.

The idea that somehow in this body, in this Congress, in this city we unilaterally can make the decision to impose additional sanctions that will bring Iran to its knees when the rest of the world doesn't agree with us is not a valid observation. So it is not so easy to say, oh, well, the alternative here is that if we don't like this deal, we will just go to more sanctions.

Now, if the other members of our negotiating group decide they agree with us that it is not a good deal, then sanctions will continue and, indeed, probably strengthen. But I don't think we should feel that we have this kind of unilateral "the heck with the rest of the world, we are going to do this ourselves" mentality. I think that is a very important point to understand, that we are part of an international community that is negotiating this deal, and what other members of the community are doing in the way of sanctions is important, as well as our sanctions.

Of course, the other alternative is military action. The other alternative is some kind of strike. There are various estimates I have heard in various forums and settings, but the most common estimate I have heard is that we could destroy their entire atomic infrastructure. We could level the buildings, destroy all the centrifuges, and we would set back their nuclear weapons program by 2 to 3 years. But what if we did that? We set it back by 2 to 3 years. We can't erase the knowledge they have. We have simply erased their infrastructure. The infrastructure can be rebuilt, and three things will have changed: No. 1, they will have the knowledge; No. 2, they will never ever negotiate; and No. 3, we will have created enemies of an entire new generation of Iranian people. We will have alienated those people to the point where it will be impossible to negotiate, and we will be in a situation of some kind of military intervention as far as the eye can see.

The military option has to be on the table. The President has to retain that option, and he has. But I think we have to be realistic about what that option means and the commitment it entails both from us and our allies. I am not saying it is off the table. I am not saying it would never happen. But what I am saying is we have to assess the negotiated arrangement in light of the realities of either the deterioration of the sanctions regime or the realities of facing military action.

Finally, I know that as this debate continues there are going to be a series of amendments and a lot of those amendments are going to be appealing. For example, as part of the condition of the deal, Iran shall recognize Israel's

right to exist or as part of the negotiation of the deal, Iran must forswear terrorism or the President has to certify that Iran forswears terrorism. Those are desirable, but they will never happen. Iran will not agree to those. So when we propose an amendment such as that, what we are really saying is we don't want an agreement, because that is never going to be an idea they are going to accept.

I would submit I think Iran is a mischievous—that is too light a word—a dangerous country in terms of exporting terrorism. We see it throughout the region. There is only one scenario worse than an Iran that is attempting to support terrorism and destabilize regimes in the region, and that is an Iran that is supporting terrorism, destabilizing the region, armed with nuclear weapons.

We can't solve all the problems in the region with this agreement. The purpose of this agreement is to keep Iran from achieving a nuclear weapon. That is what we have to keep our eye on. And if amendments—no matter how desirable, no matter how good they sound, no matter how politically appealing, if those amendments will undercut or effectively eliminate our ability to keep our eye on the main ball, which is to keep them from having nuclear weapons, those amendments will not serve us, our interests, Israel's interests, the Middle East's interests, or the world's interests.

We have to focus on what it is we are trying to achieve, and what it is we are trying to achieve is incredibly important. A nuclear-armed Iran is a danger to the region, and it is a danger to the world. Right now, I think it is a very pivotal moment as to whether we are going to be able to achieve a realistic agreement that will make that less likely.

Now, it may be that the agreement which we agree to and which goes into place doesn't work. It may be that they cheat. I would submit that at that point, we will be right where we are now. We can then talk with the rest of the world about additional sanctions. We do have the military option. We are no worse off than we are if we at least try to achieve a resolution of this grave issue through diplomacy, negotiation, and working with the rest of the world to try to eliminate this one problem.

We are not going to eliminate all the world's problems with this one arrangement or negotiation, but if we can keep Iran, through this process, from achieving a nuclear weapon, from aspiring to a nuclear weapon, then we will have achieved something important for ourselves, for the future generations not only in the Middle East but in America and the world.

Before I close, I would like to share my thoughts on the role of Chairman CORKER and Ranking Member CARDIN in bringing this matter to us in a thoughtful, responsible, deliberative

way. This is the way the Senate is supposed to work—committee consideration, debate, discussion, review of amendments, and bringing a bill to the floor for discussion and debate. I wish to acknowledge the work of the Senator from Tennessee, who has taken this so seriously and who is doing it in the best traditions of this body.

I think we are embarking upon an important and solemn project here that can have enormous ramifications for ourselves and for our posterity.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Mr. President, I come to the floor to speak about the Iran Nuclear Agreement Review Act. I think this is a very important debate, very consequential. A nuclear Iran is a global threat to everyone everywhere. The world deserves our best effort at stopping Iran's illicit nuclear program.

This does not mean we need to yield to Iran on important points just to win vague promises that they will give up their dreams of a nuclear weapon. I realize that. President Obama says he understands it would be better to have no deal than to have a bad deal. I agree with the President. This legislation is about making sure that any agreement the administration reaches with Iran is truly a good deal.

President Obama made it clear that he did not want this bill. He fought tooth and nail to make sure this legislation would not succeed, even threatened to veto it. The President wanted members of his administration to do all of the negotiating in private. He wanted to decide for himself what is best. Well, that is not how things this important to our Nation are supposed to work.

When the stakes are high, the American people deserve a say. The Vice President knows that. Back in 2008, JOE BIDEN was the chairman of the Senate Foreign Relations Committee. I served under him. He said, "I have often stated that no foreign policy can be sustained without the informed consent of the American people." Well, that informed consent includes allowing Congress to review important foreign policy decisions like any agreement over Iran's nuclear program.

Now, I have my concerns about the parts of this deal that have been made public so far. I am also concerned about some of the confusion there seems to be between the White House and the Iranians. There is a clear disagreement about the lifting of economic sanctions against Iran. Iran has said a final deal must remove all of the economic sanctions on day No. 1. The administration has said sanctions will

be lifted in phases and only if Iran complies with different steps along the way.

So if a final deal is ever reached, it is going to be very important that we, the American people, have a very clear airing of all of the terms and an understanding of really what is in the deal. We need to make sure everyone agrees on what the deal actually says. I believe Iran is simply not trustworthy and we cannot afford to take chances with something this important.

Any agreement must be enforceable, any agreement must be verifiable, and any agreement must be accountable. The President has now accepted that he needs to come to Congress and to get the support of the American people before he goes to the United Nations. Under the bill, the President must certify a few things every 90 days: He has to certify that Iran is fully implementing the agreement. He has to certify that Iran has not committed a material breach. He needs to certify that Iran has not engaged in any covert action to advance its own nuclear weapons program. The President has to confirm to Congress that Iran is playing by the rules.

Now, if the President cannot do that, the bill creates an expedited process for Congress to take action. The way this bill was originally written, by Republicans and Democrats together, the bill also said something that many Americans believe is vitally important: It said the President must certify that Iran was not directly supporting or carrying out an act of terrorism against the United States or against an American citizen anywhere in the world.

To me, this was a very important part of the original bipartisan bill, a bill which had bipartisan support and bipartisan sponsorship. During the negotiations in the committee, this consequential part of the original bill was removed.

Congressional sanctions, I think, have been devastating to Iran's economy. It is what brought Iran to the negotiating table in the first place. Once the sanctions are lifted, Iran will have a lot of money that it did not have before. Now, I do not believe Iran is going to use that money to build schools or hospitals or roads or to improve the lives of the people in their country. Iran is going to have access to tens of billions if not over \$100 billion that it can use to finance groups like Hamas and Hezbollah.

Will there be any meaningful part of the final deal that guarantees that they will not use that money to support terrorists? Congress and the American people need to know if Iran is directly supporting acts of terrorism against our country and our people. The Iranian nuclear issue is absolutely intertwined, in my opinion, with terrorism. The two cannot be separated. So during the process of negotiating this bill, this was the only certification requirement that was left out. All the

other parts stayed in. The critical part about making sure Iran was not supporting terrorism against our country came out. The President didn't want it there. Why wouldn't the President want to tell the American people about the terrorist threats facing our country and our citizens? If Iran is supporting terrorist attacks on Americans, then why would we trust them to keep their word on the nuclear program? So I have proposed an amendment that would restore the terrorism certification that was in the original bipartisan bill. That is all.

I think it is very important that the American people hear from the President on this important point. Now, I understand some Senators do not like the idea of the President having to certify something like this. Some people have said that this requirement would compromise the ability of the United States to continue its negotiations. I disagree. My amendment simply says that if Iran is supporting acts of terrorism against our Nation and our people, then Congress will have a more streamlined process to address it. It is all very simple.

That same process applies to all of the other things that the President has to certify. Would those other things compromise our ability to negotiate? This amendment would not get rid of the rest of our agreement on Iran's nuclear program, it would just allow a clear picture of whom we are dealing with. It would make it easier for Congress to act. It does not make it automatic. Congress still has to decide what to do. This just makes it easier.

That is what my amendment does. It is not the only thing I would like to change in the bill. I hope we can have other amendments as well. It is important for Congress and the American people to have their say on any final deal. It is just as important that the oversight we provide be meaningful and that Congress state clearly that we will not tolerate Iran's support of terrorism. If our negotiators reach a final agreement with Iran, I will be giving it very close scrutiny in the Foreign Relations Committee and on the floor of the Senate. This is a consequential piece of legislation. It is an important bill, and there are ways we can make it even stronger. My amendment is a start.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, let me thank Senator BARRASSO for his help in bringing this bill forward. He made valuable contributions during the committee's consideration and the managers' amendment. I know how strongly he feels about the certification issue.

I want to point out—I know Senator BARRASSO is aware of this—with his help and Senator CORKER's help and all of the members' of the committee, we have added very strong language in this bill that requires the President to

report to Congress periodically on the status of Iranian activity in the areas he is concerned about.

For example, the President must make an assessment of whether any Iranian financial institutions are engaged in money laundering or terrorist finance activity, including names of specific financial institutions if applicable; Iran's advancements in the ballistic program, including developments related to its long-range and intercontinental ballistic missile program; an assessment of whether Iran directly supported, financed, planned or carried out an act of terrorism against the United States or United States persons anywhere in the world; whether and the extent to which Iran supported acts of terrorism, including acts of terrorism against the United States or United States persons anywhere in the world; all actions, including in international fora, being taken by the United States to stop, counter, and condemn acts by Iran to directly or indirectly carry out acts of terrorism against the United States and United States persons; the impact on the national security of the United States and the safety of U.S. citizens as a result of any Iranian actions reported in this paragraph.

Then, we require an assessment of whether violations of internationally recognized human rights in Iran have changed, increased or decreased, as compared to the prior period.

I just point that out because Senator BARRASSO raises a very valid point about Congress having information in order to carry out its responsibilities. We made this bill very clear that our interest in Iran goes well beyond its nuclear weapons program. We are concerned about Iran's sponsorship of terrorism. We are concerned about Iran's human rights violations. We are concerned about Iran's ballistic missile program. As the framework in the April 2 agreement points out, nothing will affect the sanctions that are currently in place as it relates to terrorism, human rights violations or the ballistic missile program.

So I understand the Senator's concerns. I thank him for helping us develop a bill that I think is well balanced in the area of his concerns.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I, too, want to thank the Senator from Wyoming for his continually constructive role and just the tone in which he talked about this last issue. I will say that in negotiations with Senator CARDIN, we added all kinds of reporting mechanisms. It is true that the negotiations that are underway have nothing to do with alleviating any kinds of terrorist sanctions, human rights sanctions or ballistic missile testing sanctions. I will just say that should Iran commit an act of terrorism against an American, sanctions would be the minimum, I think, they would have to be

worried about. I would think bombs and missiles on heads would be what they would be concerned about.

I think we have in place mechanisms that allow us to know these things. I have a feeling that if Iran, again, commits any kind of act of terrorism against Americans—which is what is being talked about here—significant kinetic activity would be taking place. Sanctions, to me, would be the least of their worries.

But I am pleased that we were glad to clear up all of the reporting requirements but also to stipulate, again, that in this particular bill we are talking about the nuclear file, not alleviating sanctions on any of the other components.

Let me just say, if there is a deal—and this is something I have tried to make clear from day one—I hope it is a good deal. I know the Senator from Wyoming does too. We know the best route for us is to have a negotiated good deal.

But in the event we end up with a negotiated good deal and sanctions are relieved, these four tranches of sanctions that we put in place since 2010 are then available to us to reapply in the event we find human rights violations, we find ballistic testing is getting out of hand or we have terrorist activity, to add again an additional crushing blow to the Iranian economy.

I thank the Senator for his steadfast concern in this regard. I thank him for the way he works with all of us. I hope we are going to be in a process very soon to be voting on some amendments. I know we think we have agreed to some language, and hopefully that will begin very soon.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Massachusetts is recognized.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1109 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Washington is recognized.

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

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

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 1112 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. MURRAY. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### EDUCATION REFORMS

Mr. CORKER. Mr. President, I would like to congratulate the ranking mem-

ber on the Committee on Health, Education, Labor and Pensions on the outstanding occurrence last week where the committee, on a 22-to-0 vote, voted out the education reforms that are going to affect young people throughout our country. It was a great undertaking, and I think it speaks to her willingness to reach across the aisle and to solve problems that matter so much to all of our constituents. I wanted to thank her for being here today and for being a part of this debate.

Mrs. MURRAY. If I could just thank the Senator. I was very impressed with the work of Senator ALEXANDER on the Committee on Health, Education, Labor and Pensions. He worked with all our members to make sure we replace the No Child Left Behind Act—which I think most Americans agree is not working today—with a bipartisan approach. I am hopeful we can bring it to the Senate floor and move it through quickly because this is a law that does need to be fixed.

Mr. CORKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 1150 TO AMENDMENT NO. 1140

Mr. JOHNSON. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1150.

The PRESIDING OFFICER. Is there objection?

The Senator from Maryland.

Mr. CARDIN. Mr. President, reserving the right to object, I just want to know which amendment the Senator is calling up. Is this the amendment that would change this into a treaty obligation?

Mr. JOHNSON. That is correct.

Mr. CARDIN. I have no objection.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON], for himself, Mr. RISCH, Mr. TOOMEY, and Mr. CRUZ, proposes an amendment numbered 1150 to amendment No. 1140.

Mr. JOHNSON. 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:

(Purpose: To declare that any agreement reached by the President relating to the nuclear program of Iran is deemed a treaty that is subject to the advice and consent of the Senate)

Strike all after the enacting clause and insert the following:

#### SECTION 1. TREATY SUBJECT TO ADVICE AND CONSENT OF THE SENATE.

Notwithstanding any other provision of law, any agreement reached by the President

with Iran relating to the nuclear program of Iran is deemed to be a treaty that is subject to the requirements of article II, section 2, clause 2 of the Constitution of the United States requiring that the treaty is subject to the advice and consent of the Senate, with two-thirds of Senators concurring.

#### SEC. 2. LIMITATION ON SANCTIONS RELIEF.

Notwithstanding any other provision of law, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions under any other provision of law or refrain from applying any such sanctions pursuant to an agreement related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action, regardless of the form it takes, whether a political commitment or otherwise, and regardless of whether it is legally binding or not, including any joint comprehensive plan of action entered into or made between Iran and any other parties, and any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance, technical or other understandings, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future, subject to the advice and consent of the Senate as a treaty, receives the concurrence of two thirds of the Senators.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. JOHNSON. Mr. President, this deal the administration is involved in making with Iran has serious implications not only for America's long-term national security but for really the peace and security of the world.

It is true that at this point in time, nobody knows what is really in the deal. We certainly have been given a framework in terms of what the deal is supposed to be. But what we do know is that even within that framework as has been described to the American public, there are some serious discrepancies in terms of the way this administration has typified that framework of the deal and what the Ayatollah in Iran—how they have described that deal.

For example, according to our President, the sanctions will only be lifted once Iran has complied with major components of the agreement. According to the Ayatollah, those sanctions will be lifted immediately. That is a big discrepancy.

According to this administration, we will have the right to inspect to ensure verification and accountability of any agreement. The Ayatollah disagrees with that. The Ayatollah certainly says there will be no inspections on military sites. If we want to enter into this agreement to prevent Iran from creating a nuclear weapon, surely we should have the right to inspect the military sites.

Another pretty serious discrepancy in terms of the administration's understanding of what this framework is versus the Ayatollah's understanding, what is going to happen with the 10,000 kilograms of enriched uranium? According to this administration, it is going to be shipped out of the country, not available for any kind of nuclear

program. According to the Ayatollah, no way; it is going to stay in Iran.

So those are major discrepancies in terms of what this agreement is all about, the types of discrepancies that certainly need to be fully vetted, and the American people need to understand what that is.

There have also been some real deceptions about this agreement. For example, we have heard repeatedly in hearings that this administration will insist that any agreement will ensure that the nuclear program within Iran will be for peaceful purposes.

I have to point out that there is no peaceful purpose for Iran to have nuclear enrichment. If they want peaceful nuclear power, they can certainly do what a number of other countries that have peaceful nuclear power have done: They can purchase that uranium fuel, that nuclear fuel from outside countries. The only reason Iran would subject itself to the sanctions, to the isolation, to the economic harm to its economy and its people, is because it wants nuclear weapons to blackmail the region and the world.

Of course, this administration talks about snapback of sanctions. That is deceptive because once these sanctions are relaxed, once these sanctions are lifted, it will be virtually impossible—once tens of billions, if not hundreds of billions of dollars of investment from the West and from other countries start flowing to Iran, it will be impossible or almost virtually impossible to put those sanctions back in place.

We have had a sanctions regime going back to—U.N. resolutions dating back to 2006. It took years for those sanctions to really take hold, to have the teeth that brought Iran to the bargaining table. Unfortunately, in its negotiations, this administration relaxed those sanctions and basically acknowledged Iran's right to enrich uranium and, in that event, basically lost these negotiations before they ever began.

So there are an awful lot of deceptive typifications about what this deal is and what it won't be and what it will be. The purpose of my amendments is to bring clarity to what the Iran Nuclear Agreement Review Act would be and what it is not.

I give the chairman and the ranking member of our Senate Foreign Relations Committee a great deal of credit for trying to come up with some sort of deal, some sort of law that will give Congress some kind of role in this incredibly important deal. But this is not Congress's rightful role. This is not what the Framers felt, in article II, section 2 of the Constitution, would be advice and consent. It is far from it.

There are basically three forms of international agreements: There is a treaty, there is a congressional executive agreement, and then there is just an executive agreement. There is really no set criteria of what makes one international agreement a treaty, a congressional executive agreement, or an executive agreement. They are considerations. There is precedent. What,

in fact, basically is the final determination is how that particular agreement is ratified or approved by Congress or not approved by Congress.

I believe when we take a look at the considerations in the State Department's own foreign policy manual, consideration No. 1 is "the extent to which this agreement involves commitments or risks affecting the nation as a whole." I would say this agreement with Iran certainly involves risks that affect our entire Nation.

Consideration No. 3 is whether the agreement "can be given effect without the enactment of subsequent legislation by the Congress." The whole point of this particular act is that we have put sanctions in place by passing laws in Congress, and Congress does realize that we have a role in any lifting of those sanctions.

Consideration No. 5 is "the preference of Congress as to a particular type of agreement." Well, there can be some dispute, and that is really at the heart of what my amendments would do, is involve Congress in determining what exactly this deal is. Is it a treaty? Is it a congressional executive agreement? Is it simply an executive agreement that really does not have long-lasting effects?

Now, that is really the point of my first amendment. I believe that this is of such importance, that this deal is so important to the security of this Nation and to world peace that it rises to the level of a treaty. So my amendment simply strikes the Iran Nuclear Agreement Review Act and replaces it with a simple statement that this Congress deems this agreement with Iran as a treaty.

The other thing my amendment does is it removes the waiver authority this Congress granted this President as relates to those sanctions. That would then require this President, upon completion of the deal with Iran, to come to this Congress—as was contemplated by article II, section 2 of the Constitution—for the advice and consent of this body, so that 67 Senators would have to vote affirmatively that this is a good deal, that basically the American public would be involved in the decision through their elected representatives. We are not being given that opportunity. The American public is not being given that opportunity right now. What is happening right now under this Iran Nuclear Agreement Review Act is we have turned advice and consent on its head. We have lowered the threshold to what advice and consent means as relates to this Iran deal.

Hopefully we are going to vote—and it sounds as if we will—on this amendment.

I have a second amendment. In case this one does not succeed, I have a second amendment. If this Congress, this Senate doesn't want to treat this as a treaty, we should at a minimum treat it as a congressional executive agreement. I am willing to lower that



threshold under expedited procedures to a simple majority vote of both Houses, 50 percent.

I contemplated and I had actually written an amendment to really detail what this review act really is—a low-threshold congressional executive agreement. And when I say “low threshold,” I mean that what is going to happen here if we pass the Iran Nuclear Agreement Review Act is we will get a vote of disapproval. If 60 Senators agree this is a bad deal for America and they disapprove of it, we can pass that disapproval, and then that goes to the President for signature. He can veto that. Of course, if he vetoes that, it would take two-thirds of this body to override that veto and two-thirds of the House to override that veto. That requires 67 Senators. If we are unable to muster those 67 votes to override the veto of our vote of disapproval on a bad deal between Iran and America, what we, in fact, have done is we have given 34 Senators the ability to approve that bad deal.

When I offered that amendment to the Parliamentarian—that would basically show with real clarity that what this Iran Nuclear Agreement Review Act really is, is a very low threshold approval by this body—the Parliamentarian I think very appropriately ruled that amendment out of order, unconstitutional. You can’t approve something with just 34 votes in the Congress, in the Senate. I think that is my point.

I appreciate the fact that we will be able to vote on my amendment deeming this deal between America and Iran a treaty so that the American people have the ability to weigh in, to have a say in whether this is important enough to be affirmatively approved—as our Constitution contemplated with an international agreement of this importance—be affirmatively approved by 67 Senators, and I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to thank the Senator for his active involvement on our Foreign Relations Committee. He is a valuable member, and I appreciate his concern about this issue. I know he understands that this is an amendment that is likely not to pass. Let me tell you why.

Four times since 2010, Congress has put in sanctions that most people believe is what brought Iran to the table—four different tranches. They began in 2010. In almost every one of these cases they have had huge bipartisan support. I know the Senator knows this. But what happened was when those were done—as a matter of fact, this Senator three of those four times voted to give the President a national security waiver on the congressionally mandated sanctions. I know the Senator knows this as well. We talked about it extensively. I know he has had conversations with the Sec-

retary of State—former Secretary of State Condoleezza Rice, as I have multiple times, and she agrees this is an executive agreement. Let me tell you why.

The reason it is an executive agreement is right now the President has the ability to go straight to the U.N. Security Council, working with the other members, and alleviate the U.N. Security Council’s sanctions. Obviously, he has the ability to do that with the Executive sanctions that he himself put in place.

What Congress has done—and I know the Senator participated because he, too, wanted to make sure we sanctioned Iran to bring them to the table, as we have. But I know this Senator has been here long enough that in three of those times, he gave—he gave—the President the unilateral ability to waive these sanctions.

I was very concerned about this and wrote a letter to the President about 2 months ago asking how he planned to do this. The President—obviously, I got a response from the Chief of Staff, and they made it very clear. They plan to go straight to the U.N. Security Council, and it is my understanding that what they plan to do is use something called a nonbinding political commitment—that is what they plan to do with Iran if they come to an agreement—and then have that endorsed by the U.N. Security Council.

While I very much appreciate the sentiment of the Senator—whom I love working with and I am glad we have a businessman of his caliber here—I think he knows that what we are actually doing here is something that is unprecedented; that is, that we are taking back from the President authority that has already been given to him, causing him to have to bring this agreement to us. I know it is not to the level he would like—candidly, not to the level I would like. I agree with that.

Let me say this: We know that in the event that this amendment were to pass, it would be vetoed and, therefore, it is a substitute for the bill that is before us. So what that would mean is no limitation would be on the President’s use of waivers to suspend sanctions that we put in place, no requirement that Congress receive the deal at all, never mind the classified annexes that we all know are a big part of this and, by the way, the American people are never going to see.

Without the bill that is on the floor, the American people will never see it. We will see it on their behalf because we believe that on behalf of the American people, somebody should go through this bill and this deal in detail, if there is a deal reached. There will be no review period for Congress to see the deal and vote before it is implemented, no requirement that the President certify that Iran is complying, no mechanism for Congress to rapidly reimpose the sanctions, and no reporting on Iran’s support for terrorism, bal-

listic missile development, and human rights violations.

Now, look, if I could wave a magic wand or all of a sudden donkeys flew around the Capitol, I would love for us to have the ability to deem this a treaty. I really would. I think the Senator knows I mean that. I would love for us to have to affirmatively approve this. But unfortunately, a lot of us are article II folks, and we think the President has the ability to negotiate things. We had no idea this President would consider suspending these sanctions *ad infinitum* forever—no idea. I think even people on this side of the aisle were shocked. As a matter of fact, TIM Kaine, thankfully, in a meeting where Secretary Kerry—I am sorry, was being one tick too cute at one of our hearings—said: You are going to have the right to vote on it. Of course, what he meant was 5 years down the road, 6 years down the road, after the sanctions regime has been eliminated.

Look, I have strong agreement with the sentiment of our Senator from Wisconsin, somebody I love serving with, but let’s not let the perfect be the enemy of the good. Let’s ensure that we have the ability to see the details of this deal that it lays before us, that the clock doesn’t start until we get all of the classified annexes on behalf of the American people, some of whom are here in the Gallery watching this. On their behalf, we have the ability to see what is in this.

By the way, if we don’t like it, yes, there is a large hurdle in the Senate. We know the way the Senate operates. We have to have a 60-vote threshold. In the House, it is a simple majority. It is a simple majority in the House.

Look, I agree with the sentiment. This is one of the biggest geopolitical issues that will potentially happen if an agreement is reached in our lifetime here in the Senate. I hope people, in spite of the fact that I agree with the sentiment, will vote against the Johnson amendment when it comes to the floor and make sure we can pass the bill that is before us so that on behalf of the American people, we have the opportunity to see it, to weigh in. By the way, one of the things that is very important, that lives beyond—lives beyond—is that every 90 days the President is having to comply that Iran is—or is having to certify that Iran is complying with the agreement.

Again, I thank the Senator. I appreciate his sentiments.

I yield the floor.

I see that the distinguished minority leader is here on the floor. My sense is he has something to say.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I have said on a number of occasions, and I have told the Senators, but not with both of them present, how much I admire their legislative skills. What they have brought to the Senate is a work of art. I will always be amazed at how they were able to accomplish this 19 to 0 coming out of that committee.

As I said earlier today, I hope we can preserve the structure of this great piece of legislation that the two fine Senators were able to come up with.

#### OPPORTUNITY AND HOPE

Mr. President, on another subject, we are all saddened by what we have witnessed unfold in the streets of Baltimore. A man is dead who should not be dead. His name was Freddie Gray. Freddie Gray's name will not be forgotten.

This young man's death is the latest in a series of disturbing and unnecessary deaths of young men of color at the hands of police and vigilantes. To be clear, violence is never acceptable in any regard. It is never an acceptable response, even in tragedies such as these.

The rioting and looting we are seeing on the streets of Baltimore will only further damage a community in a great American city that is already hurting. We should not let the violence perpetrated by a few become an excuse to ignore the underlying problem: that millions of Americans feel powerless in the face of a system that is rigged against them.

It is easy to feel powerless when you see the rich getting richer, the poor getting poorer. The opportunities to build a better life for yourself and your family are nonexistent, nonexistent in your community. It is easy to feel devalued when schools in your community are failing. It is easy to believe the system is rigged against you when you spend years watching what President Obama called "a slow-rolling crisis" of troubling police interactions with people of color.

No American should ever feel powerless—no American. No American should ever feel their life is not valued, but that is what our system says to many of our fellow citizens. No American should be denied the opportunity to better their lives through their own hard work, but that is a reality too many face.

In a nation that prides itself on being a land of opportunity, millions—not thousands, millions—of our fellow citizens live every day with little hope of building a better future no matter how hard they try.

We cannot condone the violence we see in Baltimore, but we must not ignore the despair and hopelessness that gives rise to the claim of violence. This is not just about inner cities. This is about the deep, crushing poverty that infects rural and suburban communities across our great country.

It does not matter if you live in Searchlight, NV, or the metropolitan Las Vegas area—which is now more than 2 million people—or in Baltimore, rural America, when there is no hope, anger and despair move in. That is the way it is. We cannot ignore that. So let's condemn the violence, but let's not ignore the underlying problem.

Let's not pretend the system is fair. Let's not pretend everything is OK. Let's not pretend the path from pov-

erty—like the one I traveled—is still available to everyone out there as long as they work hard because it is not.

For hard work to bear fruit, there must be opportunity and there must be hope.

I cannot imagine what direction my life would have taken without the hope of the American dream. As a little boy I had that. As a teenager I had it. I had it in college. So instead of turning a blind eye, let's work together and take the problem seriously.

There is bipartisan work being done on criminal justice, and that is a good start. We need criminal justice reform. That is a good start, but it is only a start. Ensuring that populations are not unfairly targeted for incarceration will be a positive step, a real positive step. But we also need to be investing in inner cities and rural areas and ensuring that jobs and training and educational opportunities are available where they are needed the most.

Looking out at the year ahead, the only piece of legislation I see on the agenda that does anything to create jobs is the surface transportation bill. There is nothing else. Look around. That is not enough. We need to do more. It is up to us in this Capitol to create these jobs. Democrats and Republicans must work together to make sure Americans have a right to succeed and America continues to be a land of opportunity for all of our citizens, not some of our citizens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me first thank Leader REID for his comments about the circumstances in Baltimore. I spoke a little bit earlier today about Baltimore. It is my home city, the city I love. It is a people I love. We are really hurting from what happened. I appreciate the leader's comments about it.

We are going to get through this, we are going to restore order in Baltimore, and there will be justice for Freddie Gray. We are all going to work together. I appreciate the outreach we have received from the White House and from the Federal and State in helping Baltimore restore the order in our city.

#### AMENDMENT NO. 1150

Mr. President, I just want to respond very briefly. I see Senator ISAKSON is here. I will not take too much more of his time. Let me respond briefly in support of Senator CORKER's concerns concerning Senator JOHNSON's amendment. I oppose that amendment.

The determination of a treaty is an Executive decision. The ratification of a treaty is a legislative decision. When we go through treaty negotiations and ratification, we delegate legislative authority. It would then be up to a different entity to make decisions.

I know my colleagues are very concerned about treaty obligations and the ratification of treaties. This clearly would raise some constitutional issues with this type of legislation.

Let me just give you the practical problem we have here. In 2012, we entered into a treaty for disabilities. I don't believe it is controversial at all. It does not change any of our laws. We have not acted on that yet.

In 1994, the United States entered into a treaty with the Law of the Seas. Most countries have ratified that treaty, not the United States. That was 1994. So now if Senator JOHNSON's amendment became law, the President would have no authority to implement this agreement because the waiver authorities will be gone and it would require ratification to move forward. We cannot pass a disability treaty in this body. We can't even pass a tax treaty in this body.

It would be beyond belief that this really would allow us to move forward with a negotiation with Iran. This is what we call a poison pill. It would prevent this bill—one of a couple of things. This bill would not become law. It would not pass or it would be vetoed by the President, and he would not override the veto. If it became law, it would kill negotiations. There would be no negotiations. The United States would be isolated because our negotiating partners would be wondering why we are withdrawing from the negotiations, not Iran. The United States would be isolated.

And the final line, it would make it more likely, not less likely, that Iran will become a nuclear weapon state. That is why Senator CORKER and I strongly oppose Senator JOHNSON's amendment. At the appropriate time, we will be asking our colleagues to vote against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

#### THOUGHTS AND PRAYERS FOR THE PEOPLE OF BALTIMORE

Mr. ISAKSON. First, Mr. President, to Senator CARDIN, the people of Maryland and Senator MIKULSKI, on behalf of the people of Georgia, our prayers and sympathy go to your great State in a time of trouble. Anytime there is violence in a city in America, whether it is Atlanta or whether it is Baltimore, whether it is Washington, whether it is Los Angeles, it is a problem for all of us. Our thoughts and prayers are with the people of Baltimore, and we hope that peace returns as quickly as possible.

My purpose in rising is to first talk about the deal that is before us in terms of the congressional review act, in terms of the Iranian deal that is being negotiated by the President.

I thank the ranking member, Senator CARDIN, and the previous ranking member, Senator MENENDEZ, for their hard work, and I thank Senator CORKER for his leadership as chairman.

This is a most important deal. As a politician, when I travel in my State, I have two great tests that I use to understand the veracity of a deal. The first is the tear test, and second is the nod test.



Sunday night, I attended a celebration of the 67th anniversary of the independence of the State of Israel, which was at a synagogue in Atlanta, GA. I was asked to speak. In my speech I said: One thing you can count on for sure is that I thank God for the nation of Israel and for the fact that in 1948 it found a home. Equally, I thank God for the fact that I serve in the Senate.

I will have a vote over the congressional review of any deal made with Iran, and I promise the people of Israel that no deal with the Iranians will be mentioned or agreed to as long as I have anything to say about it as long as the people of Israel are not respected, protected, and honored not only by us but the people of Iran as well. That is essential to me, and I think this congressional review act gives us the opportunity to do that. A tear came out of Rabbi Bortz's eye. She thanked me for looking out for the people of Israel and thanked me for the United States being their friend.

The nod factor happened to me on the previous Sunday when I spoke to the Association of County Commissioners in Savannah, GA. When I stood up for that speech, it was supposed to be about local government, trade, zoning, and land use. Instead, I opened up by saying: I want everybody in the audience to know whether you have an interest or not in the Iranian nuclear deal that is being negotiated by the President, I, as your Senator, promise that there will be no deal unless there is congressional oversight, congressional review, and a congressional vote. The nods went all through the audience.

There were farmers and county commissioners from all over the State. This is an issue you would think would be removed from them, but it is not. For the people of Georgia this is a primary issue for our country and our security, and it is so for a very good reason. The Iranians have not proven to be very trustworthy with their negotiations in the past.

I thank Senator CARDIN and Senator CORKER for their agreement to put language in this bill that reports the sense of the Senate in terms of the value of the hostages that were held by the Iranian Government in 1979 and 1980.

A lot of people have forgotten what happened in 1979. In 1979, the Iranian troops jumped on the American Embassy in downtown Tehran. They captured 52 American diplomats, held them for 444 days, beat them, tortured them, and harassed them. They finally let them go shortly before the swearing in of Ronald Reagan as President of the United States. When they did, President Carter negotiated the Algerian Accords, which said that the Iranians would release these hostages but they would not be held accountable to pay those hostages any reparations. We negotiated away from them what almost every other hostage has ever received; and that is reparations from their captives.

In the committee, I introduced sense of the Senate legislation that says the Iranians should pay and the sanctions money that was paid under the previous sanctions bill that is now in place should be used to pay those hostages and their families and the survivors. Forty-four of them are left. Some have committed suicide and some have died of natural causes. But all of them were tortured, beaten, and badly abused in 1979 and 1980. We owe it to those Americans to look out for them and to make sure they are compensated, and it should come from the money that would have gone to the Iranians that was taken in the penalties for doing business with Iran under the sanctions legislation.

Senator CORKER and Senator CARDIN have done an outstanding job. They have crafted legislation that not only represents the best interest of the country of the United States but also the best interest of our people. I want everybody to understand one thing loud and clear. You can call it an Executive order, you can call it a treaty, you can call it a wink and nod. It is the single most important vote that any Member of this Senate is going to take in a long, long time because this one is for all the marbles.

A nuclear-armed Iran is a danger not just to the Middle East but to the peace and security of the entire world. Giving the Senate and House oversight on this agreement is absolutely essential to the American people so they know that they have oversight. We are the eyes, we are the ears, and we are the conscience of the people we represent.

I can tell you from the winking and nodding theory that I have, and from the tears that I saw shed by the people of Israel Sunday night, this treaty is important to the United States of America, it is important to the world, and it is important to see to it that the congressional review action takes place and this bill passes.

I commend Senator CORKER for his leadership, and I commend Senator CARDIN and Senator MENENDEZ, the previous ranking member, for the work they did to see to it that this happens.

#### TRADE PROMOTION AUTHORITY

Mr. President, the Senate Finance Committee met until about 11 p.m. last Thursday night. We passed TPA, trade promotion authority. Get this, the President of the United States has asked for it. The Senate Committee on Finance voted 20 to 6 to pass it, and it is coming to the Senate floor soon. It will promote trade and give the President the authority to negotiate trade deals. And the Senate has the authority to approve them up or down. It will send a signal to the rest of the world that we are open for business in America.

When I first came to the Congress in 1999, one of my first votes was fast-track for President Clinton, a Democratic President. As I served in the House, I later voted for President Bush

to have TPA. I will vote for TPA for President Obama because it is in America's best interest.

Trade should not be, nor is it ever intended to be, a partisan issue. It is about the well-being and the jobs of the American people.

A lot of us talk about managing expenses through cutting expenses and a lot of us talk about raising our revenue to pay for expenses. Raising prosperity for the American people is the best way to raise their revenue and raise their hope and opportunity. This bill does exactly that. Fast-track promotes American agriculture, American manufacturing, and American innovation.

In 2007, I went to the nation of India with MIKE ENZI and LAMAR ALEXANDER, two members of the Health, Education, Labor and Pensions Committee. We went to follow up on a book written by Tom Friedman called "The World is Flat." It was all about the jobs that were being taken away from America by the Indian people because of the ability to use the computer, the change in time zones, and to fill American employment and put help desks overseas in India.

A lot of people rose up against the jobs going to India, and they sent us over there to find what was happening. One of the things we did in India was visit Mr. Murthy, the president of Infosys. Infosys is the largest market cap from India on the NASDAQ in America. It is a tremendous success story. It is a high-tech engineering and technology company.

In the boardroom of Infosys, we asked this question: Mr. Murthy, the American people ask us, as Members of the Senate, why is it that all of our jobs are going to India? He answered very quickly. He said: Mr. ISAKSON, I will tell you this. When I started my company 20 years ago, I drove an Indian car, drank an Indian soft drink, and banked with the Bank of India. Today, I drink Coca-Cola, I drive a Ford, and I bank with the Bank of America.

That is what doing business with the world does. It opens up opportunities. That is what trade promotion authority is going to do for America. It will open up opportunities for the American people. It will expand trade and opportunity. It will empower us through jobs and work.

We should make sure that trade never becomes a partisan issue, and that when we vote, we have a bipartisan vote to pass trade promotion authority for the President and for the best interest of our people.

We should remember this. We should never choose isolation over innovation. Trade promotion is innovation. We should never fear competition. We should always see that competition is rewarded by hard work, and we should never cower in fear of those who compete with us. We should always be the leader we have always been in terms of American technology, ingenuity, and trade.

Trade promotion authority is good for America, good for the world, good for this country, good for the economy of the United States, and good for middle-class America. It promotes manufacturing and jobs around this country.

Lastly, there are those who fear it might prompt immigration increases. This bill gives the Congress the authority to override any change in the law that is current in the United States made by the President in any trade deal. So immigration will not be expanded, and it will not be broadened. The President will be given no more authority, but instead, America will be going to the trade table, making deals, raising prosperity, not through higher taxes but through higher engagement, more jobs, and better work.

I yield back the remainder of my time.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Tennessee.

Mr. CORKER. Madam President, I commend Senator ISAKSON for always playing such a constructive role. I know he played a big role on the TPA issue, which is, as he mentioned, very important. I know from a geopolitical balance standpoint, it is very, very important for us to be able to consummate the TPA arrangement.

I also thank him for the constructive role he always plays on foreign relations. For a couple of year he was off the committee, and we missed him greatly. We are glad to have him back and very much appreciate his support of not only the Iran Nuclear Agreement Review Act but his constant and vigilant effort to ensure that people who have not been compensated properly end up being compensated properly.

I look forward to the markup of his bill in the committee. I thank him for consistently and steadfastly pursuing this issue and, again, for the many constructive ways in which he works to cause this body to function in a productive manner.

With that, 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.

AMENDMENT NO. 1155 TO AMENDMENT NO. 1140

Mr. BLUNT. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1155.

The PRESIDING OFFICER. Is there objection?

Mr. CARDIN. Madam President, reserving the right to object, is this the amendment that deals with the report date?

Mr. BLUNT. It is.

Mr. CARDIN. I have no objection.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BLUNT] proposes an amendment numbered 1155 to amendment No. 1140.

Mr. BLUNT. 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:

(Purpose: To extend the requirement for annual Department of Defense reports on the military power of Iran)

At the end, add the following:

**SEC. 3. EXTENSION OF ANNUAL DEPARTMENT OF DEFENSE REPORTS ON THE MILITARY POWER OF IRAN.**

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2542), as amended by section 1277 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), is further amended by striking “December 31, 2016” and inserting “December 31, 2026”.

Mr. BLUNT. Madam President, I am pleased to call up this amendment. This amendment extends what would now be a sunset on the Department of Defense annual report on the military power of Iran and adds another 10 years to that annual reporting date. Currently, the law would end that annual report in December of 2016. This amendment would extend the reporting time until December 2026.

I think this amendment sends a message to the American people that Congress understands the lengths that Iran’s military is willing to go to promote instability around the world. Pentagon officials today reported that the United States is monitoring the seizure by Iran of a Marshall Islands-flagged cargo ship which was reportedly moving through the Straits of Hormuz. Iranian patrol vessels fired warning shots across the bow of the boat.

Just yesterday, it was reported by Politico that the commander of Iran’s ground forces was of the opinion that America was behind the attacks on 9/11. We currently see Iran’s deadly influence in a negative way into other countries, including Yemen, Iraq, and other countries. I think we need to continue to monitor the military strength and the military capacity of Iran. This annual Department of Defense assessment of Iran’s increasingly destabilizing military is possibly more important even now than it was when these reports started.

Every year, the Department of Defense provides Congress with a review of Iran’s military. There is no reason this report should expire at the end of 2016. This commonsense amendment extends the sunset on this annual report we have been having through December of 2026.

I encourage a “yes” vote on this amendment.

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

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

Mr. CARPER. Madam President, I see the Senator from Pennsylvania, my old friend Mr. TOOMEY, standing up like he wants to offer something. There are a couple of us who want to have a colloquy for a few minutes, Senator DURBIN, Senator BLUMENTHAL and myself, on an issue involving veterans and veterans’ financial assistance for school.

I do not want to get in the way of Senator TOOMEY if he has something he wants to offer, just as long as it does not take forever. May I ask a question through the Presiding Officer? What do you think he has to offer and for how long?

The PRESIDING OFFICER. I would direct the question to the Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I would assure the Presiding Officer, for the purpose of passing on to any interested Senators, that I, in fact, would not take forever. In fact, I think I can do this in—it probably will take 15 or 20 minutes.

Mr. CARPER. I would just ask the Senator, if he could take closer to 15, that would be great.

Mr. TOOMEY. Madam President, I rise to address two issues this afternoon. The first is amendment No. 1190. I will be as quick as I can on this because I want to spend more time dealing with the Johnson amendment, which I also will address.

Amendment No. 1190 arises because of the very unusual procedural circumstances we find ourselves in. As the Presiding Officer probably knows very well, for technical procedural reasons, the Senate has chosen to conduct a debate about the Corker-Cardin bill, the Iran Nuclear Agreement Review Act, on a House legislative vehicle that was sent over to us. But in order to do this, all of the language from the House bill gets stripped out and it goes away.

That original House bill, H.R. 1191, was the Protecting Volunteer Firefighters and Emergency Responders Act. I want to talk a little bit about it. But here is my amendment. It is pretty simple. I just want to restore the language from that House-passed vehicle. It is pretty simple. I do not think it is controversial.

Let me just sum up what this is about. This is a bill that was offered in the House by Congressman LOU BARLETTA from Pennsylvania. It is a bill that would protect volunteer firefighters from some unintended consequences of ObamaCare. More specifically, it exempts volunteer firefighters from counting toward the trigger for the employer mandate.

I do not think it was ever intended that volunteer firefighters would be counted this way, but nonetheless the danger arises because of an IRS ruling.

So the IRS issued a guidance back in 2013 that suggested that volunteer firefighters would have to count any benefits they got as income.

It raises the question of whether they would be counted toward the ObamaCare limit. They have gone back and forth. They have issued a ruling that says volunteer firefighters would not be counted toward triggering the number of employees that invokes ObamaCare, but that is just an administrative ruling at this point. It could change at any point in time.

If it were to change, and if every volunteer fire department in America that had 50 or more volunteer firefighters had to be deemed to be an employer requiring full ObamaCare coverage, I dare say it would put out of business virtually every volunteer fire department in America because none of these volunteer fire departments have the kind of money it would take to go out and buy health care for those volunteer firefighters, nor was ObamaCare ever intended to cover these folks.

This would be a huge problem, particularly in Pennsylvania where we have 2,400 volunteer fire departments, more than any other State in the Union, and we have over 50,000 volunteers in Pennsylvania alone, but there are over 750,000 nationally. So, as I said, the IRS did give us a ruling that, for now, they will not deem volunteer firefighters to be employees for the purpose of triggering ObamaCare mandates.

But I would like—and I am not the only one who would like to have this codified in law so this danger goes away so volunteer fire departments can continue to thrive. This passed the House unanimously. There is bipartisan support in the Senate.

I thank the chairman of the committee and the ranking member. My understanding is there is no opposition from either of them to this amendment, which is very straightforward.

I would be delighted with a voice vote when the time is appropriate for that. I would be very grateful. I have said my piece about the volunteer firefighters, but I do think it is a great opportunity to get this taken care of.

AMENDMENT NO. 1150

What I would like to address, though, is the incredibly important debate that we are having now about the Iran Nuclear Agreement Review Act. Now, let me state very clearly, I think the underlying bill that Senators CORKER and CARDIN have produced is a very important good-faith effort to give Congress some say in something Congress absolutely should have a say in.

But I do think there is an underlying problem with the bill. The underlying problem with the bill is that the reality is, at the end of the day, an agreement announced by the President with Iran, should that come to pass, could be opposed by a majority of Senators—it could be opposed by a big majority of Senators and it would still go into effect, despite the provisions in this underlying bill.

Specifically, why I say that is, in the first place, in order to prevent the congressionally authorized sanctions from being waived, we would need to pass a resolution of disapproval. That takes 60 votes in the Senate. So any 41 Senators could prevent that from taking place and then the deal goes forward, the sanctions get lifted.

If we have a supermajority, more than 60, and we could pass this legislation and send to it the President, he could veto it. Then it would take 67 votes to override the President's veto. So the math is pretty clear. Any 34 Senators in support of the agreement could permit the agreement to go ahead, while 66 Senators could oppose the agreement and yet it would take place. It seems to me that this turns an important part of the Constitution on its head, and that is article II, section 2 that says: The President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur."

So, in my view, this certainly ought to be deemed to be a treaty because it rises to that level of importance. A treaty, generally defined, is an agreement through negotiations signed by nations. I think that is what we are talking about here. Certainly something of this enormous importance as arguably the most dangerous regime in the world on a path that might very well enable them to obtain the most dangerous weapon in the world, it is hard to imagine things that are much more important than that.

So I think it certainly ought to rise to the level of a treaty. We routinely treat matters of much lesser import as treaties. This is not just sort of an abstract, theoretical question of Presidential authority. There are very specific, very real consequences. It is my view that we are on a path toward a very bad, very dangerous deal. The only way I can think of that we change the path we are on is if there is a plausible, credible possibility for Congress to stop this, which would then cause these negotiations to change their course, which is what I think has to happen to avoid a very dangerous outcome.

Let me be clear. My goal is not to kill any deal, my goal is to get a good deal, one that provides for the security and safety our country needs.

I do not think that is the direction we are on right now. Let me explain a few of the reasons why. I guess the simple summary was very aptly put by the Prime Minister of Israel when he spoke to the joint session of Congress and he said: The problem with this deal is that it would not block Iran's path to a bomb, it paves it. That is exactly what I am concerned about, ultimately.

Let me explain why I am concerned about that. I see three big categories of reasons; first, the administration has already made too many concessions; second, the Iranian regime is a regime we cannot trust; third, while the ad-

ministration says don't worry, you don't need to trust them because we can verify and enforce this agreement and, boy, if they step out of line, we will snap those sanctions back in a heartbeat, that is a fantasy. I do not see that working. Let me explain these three categories.

With respect to the concessions, first, we ought to be concerned, I think, about the concessions that were made before the negotiations even began—the concessions that we wouldn't even address, the ongoing ballistic missile program that the Iranians continued to pursue and make ever more sophisticated.

We wouldn't address their active, ongoing support for terrorist organizations throughout the Middle East and around the world. That wouldn't be on the table.

We wouldn't address their open declarations that they want to wipe Israel off of planet Earth.

These things were permitted just to be set aside. That is a very major round of concessions before we ever got to the table.

My next concern is the way the administration has been moving the goalpost throughout these discussions. The initial goal stated by the President in the fall of 2013 was to ensure that Iran would not have a nuclear bomb. That was the right goal. The only problem is that is not the goal anymore.

Now the goal is, according to the administration, that we would have about 12 month's notice if the Iranians decide to develop and deploy nuclear weapons. That is a huge, huge concession, and, I think, a very dangerous one.

Finally—and maybe the most disturbing concession—it seems to me that the framework of this deal, as it has been described by the administration, allows Iran to retain a nuclear infrastructure—actually, an industrial-scale nuclear infrastructure, with the underground facility at Fordow and the plutonium reactor Arak—thousands of centrifuges for a country that doesn't need a single centrifuge.

If their intended purpose really is just to have peaceful nuclear energy, they don't need a single centrifuge. They can buy enriched uranium. They don't need to have the domestic capability of enriching centrifuges. But it has already been conceded that they will have thousands.

None of this, by the way, is going to be destroyed. Anything that is deactivated is locked away, but it is still there.

Frankly, I am worried about the next round of concessions. If you listened, as I have, to the way the administration has described the framework of this agreement, and then you listened to how the Iranians have described it, there are some huge divergencies there. For instance, with respect to the sanctions, the administration has said that the sanctions would be lifted gradually, only as and when the Iranians comply with the terms of agreement.

The Iranians have said: Absolutely not. The sanctions get lifted immediately upon execution of the agreement.

And on inspections, this essential part of the enforcement mechanism, the administration has said: We will have the ability to inspect anytime, anywhere.

The Iranians have said: No, you won't. You will only do inspections by permission, and military sites are off limits all together.

I think this is a very disturbing range of concessions that have already been made, and the deal is not finished yet.

The second point I make is that we can't trust this regime. I just think that is abundantly obvious. I think it is very clear that they have not reached the decision as a nation that they want to abandon their quest for a nuclear weapon. I don't think they have.

And, if you look at their behavior, they have been killing Americans since 1979, including nearly 1,500 U.S. soldiers in Iraq with the sophisticated IEDs they make.

Iran is the world's foremost state sponsor of terrorism. They are promoting radical Islam in many places in the Middle East. They recently were plotting to assassinate the Saudi Ambassador by a bomb planted in a DC restaurant.

They have repeatedly declared their intention to wipe Israel off the map, and they have a history of cheating on agreements and violating U.N. resolutions. Why do we think this time would be different?

Well, as I said, the administration says: Don't worry. You don't have to trust. We will have verification, enforcement, and snapback sanctions.

Well, I don't think that is realistic at all. But it is not only my view. Henry Kissinger and George Shultz wrote, I thought, a very important essay about this. They mention, among other things, the difficulty we are probably going to have in even discovering that cheating is going on. I quote from the Kissinger-Shultz article. They say: "In a large country with multiple facilities and ample experience in nuclear concealment, violations will be inherently difficult to detect."

Not only that, it looks like we are, in a way, subbing out the endorsement to the U.N.—populated, I might remind my colleagues, by countries that are often not terribly friendly to the United States. There we will have the challenge of proving violations that we do discover, proving that they are, in fact, violations. Again, Kissinger and Shultz point out that when cheating or a breakout occurs, it is unlikely to be a "clear-cut event." Rather, it is likely to be "the gradual accumulation of ambiguous evasions."

So we discover these ambiguous evasions, and what do we do? We have to go to the U.N. and convince them. I suspect the Iranians will deny them.

And how long will this process go on while this is adjudicated and while the Iranians remain in violation? And what are our chances that we will eventually convince the people we need to convince at the U.N. that we are right and they are wrong?

But even if we are successful in all of this, the administration says: Well, that is when we will just snap the sanctions right back in place.

How can that even be a serious notion when the sanctions regime is crumbling right now? I mean, it is already crumbling. The Russians are selling air defense systems now to the Iranians.

Why is the President so reluctant to have Congress have a role in this, in any case? If the President can make the case that America will be more secure as a result of this agreement, he should be able to convince the American public and the Senate, get the votes, and then he would have a much more enduring agreement.

A treaty is binding indefinitely, and it would have the approval of Congress. It wouldn't have the temporary nature of the executive agreement.

I think it is our responsibility that we have to uphold the Constitution. It is our responsibility that we have to maximize the safety of the American people to the extent we can. So I hope my colleagues will support the Johnson amendment, which will simply deem this agreement to be a treaty and require the two-thirds vote for ratification that a treaty requires.

Mr. CORKER. Madam President, if I could respond, just briefly, I know there are speakers who would like to speak.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I thank the Senator for his amendment. My sense is that over the course this debate, there will be a pathway forward.

Secondly, I thank him for cosponsoring the legislation that is before us.

As to deeming it a treaty, I wish to point out that the Senator has been in the Senate almost 6 years, which leads me to believe that at on at least three occasions, the Senator has already voted to give the President unilateral ability to implement this by a national security waiver. That is why this now is an executive agreement. And I think everyone here knows that what the President plans to do is to take what Senator TOOMEY and others have granted to him—a national security waiver—and go directly to the U.N. Security Council and, therefore—as a matter of fact, if we had not granted that security waiver, it would take a majority of people here to lift that. However, in putting these sanctions in place, all of us who put these four tranches of sanctions in place since 2000 have granted the President a national security waiver.

In a letter in response to me, the Chief of Staff made it clear that they

plan to go straight to the U.N. Security Council with this waiver in hand. They plan to waive these sanctions ad infinitum way down the road. Secretary Kerry has testified to us that maybe 5 years down the road, after the sanctions regime has totally dissipated, we would have the ability to vote. So my sense is that I agree with the sentiment that is being laid out.

I just wish to say again, if the Johnson amendment were to pass, ultimately this bill would not pass. Let me just say there would be no limitation on the President's use of waivers to suspend sanctions that we put in place, which brought them to the table, and no requirement that Congress receive the deal at all—never mind the classified annexes that go with it—no review period for Congress to seal the deal and vote before it is implemented, no requirement that the President certify Iran is complying, no mechanism for Congress to rapidly reimpose sanctions, and no reporting on Iran support for terrorism, ballistic missile development, and human rights violations.

So my sentiment is with the Senator. I hope his amendment will very soon become law, and I appreciate his diligence there.

I think he understands that this body, in putting the sanctions in place, gave the President the ability to do this unilaterally. What this bill does is to take back some of that authority. I hope we will be able to do that collectively.

I appreciate the ranking member's efforts in this regard.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, I come to the floor today to join Senators CARPER and BLUMENTHAL on a subject we would like to speak to by way of colloquy, without objection by my colleagues.

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

FOR-PROFIT COLLEGES AND OUR VETERANS AND SERVICEMEMBERS

Mr. DURBIN. Madam President, Senator CARPER, Senator BLUMENTHAL, and I have come to the floor to discuss a terrible loophole in Federal law. It is the Federal 90-10 rule that limits the amount of Department of Education title IV dollars for for-profit colleges. They can receive 90 percent of their revenue from the title IV. The intent was to make sure for-profit colleges were not totally reliant on Federal taxpayers for operations and that they could survive without taxpayer dollars.

Well, I think 90 percent is way too high to accomplish that goal. What is more, the law doesn't count non-title IV Federal programs as revenue when they calculate the 90 percent. The Department of Veterans Affairs Post-9/11 GI bill and Department of Defense tuition assistance and MyCAA dollars are some of the biggest examples of Federal revenue not counted in the 90 percent calculation.

It means that some for-profit colleges get vastly more than 90 percent from the Federal Government. These are supposed to be private institutions in the private sector? No way. If they were standing alone as an industry, the for-profit colleges and universities would be the ninth largest Federal agency in Washington. They get that much money.

Who are some of these schools that get more than 90 percent of their revenue from federal taxpayers? Well, names you might have heard: Everest College in Newport News, VA; Everest College in Portland, OR; Heald College campuses in Fresno, San Francisco, and Stockton, CA. If the names sound familiar, it is because they are part of the now bankrupt and out-of-business Corinthian Colleges system that defrauded students, lied to the Federal Government, and raked in \$1.4 billion annually in title IV dollars and another \$186 million from GI bill benefits.

Ashford University in Clinton, IA, is another notorious story of a for-profit school that received more than 90 percent of their revenue from Federal dollars when the Department of Defense and VA funds are included. I know that one very well.

A past Bloomberg news article really demonstrated the depths these companies will sink to in order to ensnare or enroll veterans and servicemembers who qualify for Federal benefits.

James Long was reported to have suffered a brain injury when artillery shells hit his humvee in Iraq. The Ashford recruiter came to a barracks for wounded marines at Camp Lejeune while Long was recovering from his brain injury and pitched to him to go to Ashford University, this for-profit school. Their parent company, Bridgepoint Education, is under investigation by at least three State attorneys general.

I could go through the list, but I will yield the floor for my friend from the State of Delaware, Senator CARPER, to say a few words as well.

Westwood College, based out of Colorado, in my State of Illinois, is under investigation by the Illinois attorney general. I have been contacted by their students, including veterans, who have been lured into their worthless degree programs and use up their GI bills as a result of it.

There are many other schools included on this list of schools that receive more than 90 percent of their revenue from federal taxpayers. Vatterott College and Coyne College are in my home State. There are schools owned by Apollo, the largest for-profit college and university in the United States, which is currently under investigation by two State attorneys general.

Career Education Corporation—which is another notorious for-profit school—is under investigation by 17 different State attorneys general. And there are schools owned by Kaplan, which used to be owned by the Washington Post, which now is on its own,

and is under investigation by three different States attorneys general.

Why do we allow this to happen? These schools are targeting our veterans and our servicemembers and members of their family.

I was listening to Pandora the other day and I heard American Military University advertising. Well, they know it is Washington, DC. There are a lot of people in uniform in Washington, DC.

The American Military University is not part of any official part of our military. They just picked up the name. It is a for-profit school raising questions, again, about whether they are providing our veterans and servicemembers with any value for their GI benefits.

So I have joined with a number of my colleagues, Senator CARPER, and 18 other colleagues, in writing to the Secretary of the Department of Education to publish its annual 90–10 data with all the Federal education benefits, including the Department of Defense and VA benefits.

According to documents obtained by the Center for Investigative Reporting, the Department of Education has produced data internally. So it is there, and it is time that it be shared with the public.

I thank Senator CARPER. Many people have heard me come to the floor and talk about for-profit colleges and universities and probably think: Well, there goes DURBIN again.

Well, this time I am joined by a couple of my outstanding colleagues, and one of them is the Senator from Delaware, who helped me to bring together 20 Senators to sign this letter.

I yield to Senator CARPER.

Mr. CARPER. I thank the Senator from Illinois for yielding.

Madam President, I don't know about your family, but my dad and his brother served in World War II. They were both combat veterans, one in the Navy and one in the Army. On my mom's side of the family, two of her brothers ended up serving in the Navy. One was killed in a kamikaze attack on an aircraft carrier out in the Pacific. He never had a chance to participate in the GI bill, but my dad did. Later, in the Korean war, my uncle Ed, who married my mom's sister, had a chance to participate in the GI bill. It was a great benefit. It is one of the things—when we look back in time, we know this is one of the wonderful things that happened in our country. It helped lift us up and prepare a workforce to make us a preeminent nation in the second half of the 20th century.

But as it turned out, as the benefits were offered and taken advantage of by veterans, scam artists emerged on the heels of World War II. The same thing happened again after the Korean war. It seems as if every time we have renewed and extended the GI bill for a new generation of veterans, the same thing has happened.

I served on Active Duty from 1968 to 1973 in the Vietnam war—as a naval

flight officer—served 5 years on Active and another 18 years beyond that as a P-3 aircraft mission commander, a retired Navy captain. I had a chance to get a master's degree near the end of the Vietnam war, and I moved from California to Delaware and got an MBA on the GI bill. I think we got \$250 a month.

The GI bill today—men and women who have served 3 years of Active Duty, including some time in Iraq or Afghanistan, get tuition free to pretty much any college or university—public—in their State. They get tuition assistance. They not only get tuition, they get book fees, and if they need tutoring, they get that free. They also get about a \$1,500-a-month housing allowance. Vietnam veterans got 250 bucks a month. This is a lucrative GI benefit. And if the GI doesn't use it today, their spouse can use it. If their spouse doesn't use it, it is transferrable to their dependent children. It is a great benefit.

Not surprisingly, just as scam artists emerged at the end of World War II, at the end of the Korean war, and at other times, they have emerged again this time as well. Some of them are private colleges; some of them are not. Some of the private colleges actually do a good job, but too many of them do not. They are in this for money. They see a rich benefit, and one of their goals is to try to make sure they cash in. In some cases, it is at the expense of the veteran and the taxpayers.

Congress put in place in I want to say 1992 a rule that said we want to combat this by injecting some market forces. So since the beginning of 1992, no university, college, whatever, could get more than 85 percent of their revenues from the Federal Government—no more than 85 percent from the Federal Government. We changed that in 1998 and said that no college or university—private, for profit, whatever—could get more than 90 percent of their revenues from the Federal Government. They had to raise 10 percent from other sources, such as people who paid their own money or who got private loans or whatever to go to college.

Somewhere along the line, though, we changed the rules to say that 90 percent did not include the GI bill, that 90 percent did not include something called tuition assistance for people on Active Duty. So 90 percent today is not a full picture. It is student loans and it is Pell grants. It is not the GI bill. It is not tuition assistance from people on Active Duty. So if we put it all together, we find out that today there are over 100 colleges and universities—again, almost all private—that are getting way more than 90 percent of their revenue from the Federal Government. I don't think that is a good thing. It is not a healthy thing. What was meant to be an approach that provided some market correction doesn't work anymore.

For years, Senator DURBIN and I have introduced legislation designed to restore the integrity of the original 85–15

rule or the 90-10 rule, which says, look, if you are a college or university, if you are a for-profit, private, public, the 90 percent should be included all in. It is college loans, it is student loans, it is Pell grants, it is the GI bill, it is tuition assistance—the whole deal. If you are a college or university, you can get up to 90 percent of your revenues from those sources but not 100 percent—as too many of them are doing today.

We have talked about Corinthian, which has gone down. Corinthian has cost taxpayers probably billions of dollars. A lot of men and women who risked their lives and served our country in sometimes very dangerous situations have now gotten out of the military and they have literally been put at risk again. They have been put in a position where they have squandered their GI bill benefits.

We ask sometimes why there is bad morale in some cases, low morale, why some Veterans take their own lives. Well, sometimes it is because they get sucked into these scams. Sometimes that is what happens.

We can fix this. It is the right thing to do for our veterans. It is the right thing to do for our taxpayers.

I know Senator BLUMENTHAL is here. He is also a distinguished veteran and the father of a distinguished veteran, and I am happy to yield to him.

(Mr. GARDNER assumed the Chair.)

Mr. BLUMENTHAL. Mr. President, I thank Senator CARPER and Senator DURBIN, two of our most distinguished colleagues who have fought ceaselessly for the interests of students and veterans. I am very proud to be here with them today. I do have a very personal interest as the dad of a veteran and also of a currently serving young man whom I hope will be a veteran one day.

Nothing is more important than this issue of making sure we keep faith with our veterans and protect them because the phenomena we have described today often create incentives for schools to lure veterans into education deals, and they are often education deals that fail them, that don't make sense for them, that don't give them the education and the qualifications they think they are going to receive. So very often they are failed by these programs, and they fail to complete their courses and leave with mountains of debt but no degree.

These kinds of abuses that bring us here today involve some for-profit schools in effect scamming our Nation's veterans.

We all know that for-profit schools are prohibited from receiving more than 90 percent of their total revenue from Federal student aid, but, as my colleagues have so well stated, the Department of Defense and Veterans' Administration education benefits are not counted toward that 90 percent. That loophole causes the for-profits to target those servicemembers and veterans, often with predatory marketing practices that lure them into those deals that make no sense for them.

We need to change that law. We need to change the law so that DOD and VA benefits count under the 90-percent cap on Federal revenue. That is really our ultimate goal.

I thank the President for including such a provision in his budget request for fiscal year 2016. I look forward to working with my colleagues and with the President in moving that legislative effort forward.

In the meantime, we need a more accurate picture of this problem because when it comes to for-profit schools and veterans, there are some things we definitely need to know and our veterans need to know.

Here is what we do know. We know there are a large number of for-profit schools that would be in violation of the 90-10 rule if we made this change today. In fact, a 2013 Department of Education analysis identified 133 for-profit schools that would be in violation. We also know that the current loophole in that 90-10 rule creates those incentives for certain institutions to conduct aggressive, relentless, often predatory recruitment of veterans.

What we lack and what we need is comprehensive, complete information on the exact scope of the problem. That part should be easy. The Department of Education already collects the information we are asking them to publish. It is a simple task of publishing how much revenue schools receive from all Federal education programs, including the DOD and the VA. That would bring accuracy and transparency to the debate over the 90-10 rule. Disclosure and transparency are part of the battle. Most importantly, this information and these statistics would provide veterans themselves and servicemembers better data and information to make informed choices about higher education.

Let me briefly mention another tool that I think is very important because it encourages veterans to make informed higher education choices, and that is the VA's GI bill comparison tool. I am glad—and I thank Secretary McDonald—the VA has launched this vitally important resource for veterans in response to the President's Executive order, which established principles of excellence for schools that serve veterans. I also think Secretary McDonald can take steps to improve this tool, specifically by adding a risk index that would highlight unscrupulous bad actors in the industry.

As our Nation's veterans decide where to spend their taxpayer-funded education benefits—their money but taxpayer funded—they deserve to know if the school they are considering is under investigation for deceptive practices, what its record is on this score, what its graduates do, what the value is of education and courses there. They deserve to know if the school they are considering has been placed on heightened cash monitoring status, a specific status from the Department of Edu-

cation. They deserve to have this information. It is vital not only to them but to their smart use of taxpayer dollars.

Let me finish by saying that for-profit schools have been problematic in many ways. The Committee on Health, Education, Labor and Pensions, on which I served during my first 2 years, conducted an investigation. I was very proud to be a part of the effort to reform for-profit schools. Our former colleague Tom Harkin worked very hard on this issue.

We should not tar every for-profit school with too broad a brush. We should note improvements that have been made. This problem is discrete, identifiable, critically important, and I thank my colleagues for giving me the opportunity to talk about it and work with them on it.

Mr. DURBIN. I thank Senator BLUMENTHAL and Senator CARPER, and I also thank Senator LEE, who has waited patiently for the last 15 minutes or so. I will conclude my part of this by first saying that I thank my colleagues for joining me.

If I said we were dealing with an industry—the for-profit colleges and universities—that has 10 percent of the high school graduates in America attending and 44 percent of all the student loan defaults, it might raise some question. If I said that at least 90 percent of the revenue these for-profit colleges and universities receive is often from the Federal Treasury, a Federal subsidy—sometimes more than 90 percent, which is the point we are making here—and if I said that many of these schools are literally exploiting our veterans and servicemembers, I think that is a clarion call for Members of Congress to stand up and first do something to protect the men and women in uniform and the veterans and second to make sure taxpayers' dollars are well spent.

This Corinthian College collapse is an indication of how we can lose \$1.4 billion a year for a worthless college system, for-profit college system.

If I said at the end of the day that I don't know what the term "crony capitalism" means—I will go and look it up after this speech, but it looks to me as if they are calling themselves private schools. They might as well be Federal agencies and, as such, should be held accountable.

I thank my colleagues for joining me.

Mr. CARPER. If I can add just one thing, Mr. President, 5 years ago, 6 years ago, our Federal budget deficit hit \$1.4 trillion. It has come down since, bit by bit. Now it is down by about two-thirds. But it is still a lot—like \$400 billion or so. That is a lot of money.

I think the key to further reducing deficits is threefold: No. 1, tax reform that broadens the base and lowers the corporate rates so we are competitive with the rest of the world but also generates some revenues for deficit reduction.



No. 2, entitlement reform that saves money and saves programs for our children and grandchildren and doesn't savage old people or poor people.

No. 3, look at everything we do in the Federal Government and say: How do we get a better result with less money? This is one of those things we need to look at and put under a microscope.

Again, are all for-profit schools bad? No, they are not all bad. Some do a very good job. But we have millions of jobs out here in this country waiting to be filled. We have a lot of people who would like to have a job and don't have the skills. We are spending a ton of money through the GI bill and tuition assistance, and we need to better ensure that the folks—particularly who are veterans—are getting their money's worth and that we are getting our money's worth and that we are getting the workforce we need to fill up those millions of jobs.

Mr. BLUMENTHAL. Mr. President, I would add one last note. My colleague Senator DURBIN has very appropriately mentioned the Corinthian debacle. We should note that this debacle is not an innocent failure. It is not a victimless debacle. Behind that staggering number of \$1.2 billion are thousands of real people with huge debt and no value in the courses they have taken in terms of a degree that can give them marketable qualifications. There are real-life stories of huge debt, no degrees, and people who are tragically trapped in financial situations really beyond their own fault because of this situation.

So that, too, is a phenomenon we need to keep in mind when we talk about this 90-10 rule. Those veterans who are failed, who are marketed to, who are lured into this system are often left in tragic situations that they don't deserve and that they wouldn't have undertaken if they had been well-informed, which is what ultimately this Nation owes them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to set aside the pending amendments and call up amendments Nos. 1141, 1145, and 1148 on behalf of Senator RUBIO.

The PRESIDING OFFICER. Is there objection?

Mr. CARDIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, Senator CORKER and I have been working very hard to get amendments considered in a very orderly way. We have three amendments that are pending. We are attempting to get to those amendments in a way that we can have votes. We do not want a lot of amendments pending while we are debating certain amendments. For that reason, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I come to speak on the legislation before the Senate, the Iran Nuclear Agreement Review Act, and I specifically want to create a focus for our colleagues on the essential question before the Senate. The essential question before the Senate is, Does the Senate want to have a role in opining upon any agreement that may be concluded between the United States and the P5+1 and Iran? Right now, there is no clear mechanism for the Senate and the Congress of the United States to have a say about that potential final agreement.

The reality is that an Iran that does not have nuclear weapons capability is an Iran that at the end of the day enures to a status in which the national security of the United States is better preserved and in which our ally the State of Israel's security is better preserved. But, in fact, an Iran that does have nuclear weapons capability is a national security threat to the United States and to the State of Israel, our ally, which clearly would face an existential threat.

The problem is that many of us, myself included—personally, I abhor the Iranian regime. I abhor its human rights abuses. I abhor its promotion of terrorism in the world. I abhor that they are holding U.S. citizens hostage and so much more. But as much as I abhor all of that reality, what I really have a concern about is the Senate not having a say over any final agreement, particularly when I have some serious reservations about where this framework agreement to this date takes us; the questions of the differences in views between the P5+1 and Iran about what the framework agreement says and doesn't say; the reality, it seems to me from what I read, that Iran can advance in its research and development in a way that ultimately allows them to have, for example, centrifuges that can spin more efficiently, more quickly, and therefore reduce the breakout time; my concern about the question of what happens after 10 years—are we, in essence, relegated to a nuclear-armed Iran; my concern about what I understood was a threshold redline issue in which the International Atomic Energy Administration was going to have anytime, anyplace, anywhere inspections based upon any agreement; and many other elements.

But all of those concerns—and we will see whether a final agreement, if there is a final agreement, ultimately addresses those concerns—will be for naught in terms of having a way to express my concerns if, in fact, there is no process that ultimately creates the

potential for a judgment on any final agreement and an action in response to that judgment and a continuing oversight obligation and opportunity for the Senate.

So while I abhor all of the things on which many of my colleagues offer amendments, this is not necessarily the only Iran piece of legislation we have to consider. But if we want to have a say on the fundamental question of any potential agreement, then don't load up this legislation that came out of the Senate Foreign Relations Committee unanimously. And God knows we don't get too many unanimous votes in this Chamber, much less in committees. And the good work of Senator CORKER as the chairman and the work of Senator CARDIN in the negotiations and, I would like to believe, many of us who were on this legislation before we got to this point and some of us who have been following Iran since my days in the House of Representatives—ultimately, that was the type of structured process that creates a say for the Senate and for the Congress in a meaningful way.

Could we seek other legislation to deal with Iran's terrorism? The answer is yes, even though this legislation has reporting requirements to ensure that we have senses of that and, most importantly, doesn't repeal any other sanctions that may be related to terrorism, which was my original concern when we had language as it related to the question of terrorism.

Do we have the opportunity to look at Iran's missile capacity and program and what that means to the national security of the United States and our allies and the State of Israel? Yes.

Do we have the opportunity to continue to express ourselves about Iran's use of its resources not for its people but to promote terrorism in the world? Yes.

Does it all have to be in this legislation? No. Because what we are going to do is sink the legislation, and there will be no say, there will be no opportunity to deal with any potential final agreement.

As the author, along with others, of the sanctions regime that brought Iran to the table in the first place to discuss it—I always find it interesting because I hear the administration at times talk in two ways about the sanctions regime: Either the sanctions regime cannot be enhanced because to do so would break the coalition, and by the same token—and don't expect that Iran would respond to any further sanctions—by the same token, I hear that the reason Iran is at the negotiating table and wants to strike a deal as an expression of their sincerity is because of the sanctions. So you can't have it both ways.

By the way, I have often heard that any enhancing of the sanctions regime would ultimately lead to a breaking of the coalition. I heard that many times before, and that sanctions regime didn't create that.

But I am willing to forgo enhanced sanctions at this time to get the fundamental opportunity of the Senate having a say on any final agreement because that is the threshold question—whether we will have a say on the most important nuclear nonproliferation national security issue, I would say, of our time.

So I hope my colleagues, as earnest as I believe they are in some of their amendments, understand that at the end of the day, pursuit of such an amendment, however worthy it might be, would sink the very opportunity to have a law in place that would give us a process and a say, because there is none right now.

So whether you want to change this to a treaty, which has all types of other legal consequences to it far beyond—I don't think people have thought that through because far beyond, a treaty has legal requirements on both sides or multiple sides when you enter into a treaty. I don't know that I want Iran having that legal precedent or ability to use against the United States at any given time if things don't go the way we want them to. I don't know that, in fact, I want to have a set of circumstances in which Iran can ultimately rear its ugly head by the use of our own very same purposes in legislation, which I think people haven't thought about fully, the unintended consequence of some of their legitimate goals, haven't thought it fully through. But most of all, I don't think they have thought about the consequences of the Senate not having a say on any final agreement. That, to me, is paramount.

So I hope very much that as our colleagues are considering this—I am sure the chairman and the ranking member will try to work, when appropriate, with individual Members who ultimately may have language that doesn't strike at the heart of the legislation, that may be able to be accommodated, that may enhance it. By the same token, we have to decide whether we want a political victory or a national security victory.

If we want a national security victory, then we will try to keep the legislation that came out on a unanimous bipartisan version from the Senate Foreign Relations Committee pretty much intact. If we want a political victory to say that someone is stronger than someone else or one group is stronger than someone else about national security or about our support of the State of Israel—for which I take a backseat to no one in this Chamber—then we can have that opportunity, but that will mean not having a final say on any agreement, and that, I think, would be of historical proportion a huge mistake.

So I look forward to the debate that continues. I hope we can keep a measured look. I am happy to work with other colleagues who want to further advance issues which I think are legitimate as it relates to Iran but not nec-

essarily as it relates to the determinative factor as to whether we will have a say on any potential final agreement as it relates to a nuclear agreement with Iran. I think that is paramount. I hope we don't lose sight of it. I hope we can have the same strong, incredibly bipartisan votes that we have had on Iran because that sends a clear message to our allies as to our expectations, it sends a clear message to Iran of what we will expect and the standard that we will hold them up to. Anything short of that will only create the opportunity for those who have a different vision about what we seek to achieve to try to accomplish it. I do not think we want that. I do not think that is anybody's intention. I do not judge anyone in terms of their intent. I only ask to think about the consequences to our greater goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I would like to ask unanimous consent in a moment.

First, I would like to thank the distinguished Senator from New Jersey, who has been as much as anybody in this entire congressional body, both House and Senate—actually he and Senator KIRK have been stalwarts on Iran. Without his efforts, we would not even be in a negotiation right now. I cannot thank him enough for his positive contributions, for his leadership as ranking member and chairman. I want to thank him.

#### AMENDMENT NO. 1150

Mr. President, I ask unanimous consent that the time until 6:10 p.m. today be equally divided in the usual form and that following the use or yielding back of that time, the Senate vote on the following amendment: Johnson amendment No. 1150; further, that there be no second-degree amendments in order to the amendment and that it require a 60-affirmative-vote threshold for adoption of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORKER. Mr. President, if I could follow up, I have been in extensive conversations with former Secretary of State Condoleezza Rice, who I know has tremendous respect on this side of the aisle. She sent out a release today in response to this amendment that is coming before us today that the proposed Iranian nuclear agreement is classically an executive agreement and does not need to be a treaty with the advice and consent of the Senate—this is our former Secretary of State under George W. Bush—but Congress should be able to opine, given the congressionally mandated sanctions would have to be lifted. I think everybody on our side of the aisle understands that with four tranches of sanctions that Congress put in place—we brought them to the table with Senator MENENDEZ leading that effort, and in each of those cases, which is traditionally done, we gave a

national security waiver. No one ever thought the President would use the national security waiver to kick the can down the road for years on the congressionally mandated sanctions without our approval. But everybody in this body who has been here in recent times participated in giving the President—if you voted for these sanctions and in some cases they were unanimous—the unilateral ability to waive the sanctions.

If we pass this underlying bill, on which we now have 67 cosponsors, we are taking back that authority. But to try to deem this as a treaty is a losing effort. In essence, it will destroy our ability—it will destroy our ability to have any say-so, as the Senator just mentioned, in one of the biggest geopolitical events of our time.

If this amendment were to pass, the outcome would be no limitation on the President's use of waivers to suspend the sanctions we put in place, none—no requirement that Congress receive the deal at all, never mind the classified annexes that go with it but which, by the way, the American people will never see—will never see, but on their behalf we would like to see—no review period for Congress to seal the deal and vote before it is implemented, no requirement that the President certify Iran is complying, no mechanism for Congress to rapidly reimpose sanctions, and no reporting on Iran's support for terrorism, ballistic missile development, and human rights violations.

I just want to say to my friends, voting for this treaty is, in essence, saying that we are willing to throw what has been put together aside, even though we have 67 cosponsors. Look, I wish we had the ability to vote affirmatively, but we gave that away. Almost everybody in this body was a part of giving that national security waiver away.

This is an executive agreement. Our former Secretary of State, whom we love and cherish, says this is an executive agreement. We can wish it was a treaty or we can try to deem it as a treaty, but the effect is we will have no role if we were to pass this amendment by JOHNSON, a friend of mine. We will have no role in this.

I urge people to vote no. I know there will be debate between now and 6:10. I appreciate the ranking member being here with me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, I want to join Senator CORKER in thanking Senator MENENDEZ for his leadership on this issue—I said that on previous occasions on the floor—clearly, his leadership, working with Senator CORKER and working with Senator KAINE, who developed the bill for the appropriate review for Congress. I wish to thank Senator MENENDEZ very much for all of his hard work on this bill.

I want to identify myself with the comments of Senator CORKER in opposition to the Johnson amendment. But

let me give you one more reason. I respect the intent of those who support this amendment, but let me tell you what it means. It means that if this were, in fact, a treaty, we would be saying that we would be delegating to other entities the decision on whether to eliminate the sanction regime we in Congress imposed.

I have listened to my colleagues, particularly on the Republican side, who say they do not want to delegate that authority, that Congress should keep its legislative authority.

If you believe Congress should keep its legislative authority, that it is up to us to determine whether we are going to change or eliminate or modify the sanction regime, then you cannot be for a treaty because a treaty would give away that power. I do not think you really mean to do that, but that is the intent, if this were to be turned into a treaty, that we would be giving up our power.

Secondly, I don't know how we are going to explain it to our colleagues in the House of Representatives. The Presiding Officer served in the House. I served in the House. Senator MENENDEZ served in the House. The last time I checked, we imposed these sanctions because a bill passed both the Senate and the House, and now we are saying that the approval process is going to ignore the House of Representatives, solely going to be a matter for the U.S. Senate on a ratification of a treaty? That does not seem like a workable solution.

My point is to concur in the observations of Senator CORKER. This is clearly an amendment that if it were adopted would say we are not going to have an orderly review process for Congress to be able to weigh in. We are not going to be able to get the material to set up the logical review by the Senate Foreign Relations Committee, that we are going to lose all the benefits of this bipartisan bill if this amendment were to be approved.

For all those reasons, I would urge my colleagues to reject this amendment. I think I have about 1 minute remaining. I will be glad to yield that to Senator JOHNSON, if he would like to have a minute and a half to try to rehabilitate his amendment.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I appreciate the Senator from Maryland yielding time.

If I could ask a question, if this amendment fails in terms of involving the House, I have another amendment that if the Senate decides not to deem this a treaty—and I believe it should be deemed a treaty—we can also deem this a congressional executive agreement which, of course, would have to be voted on by both Houses.

I think the fact is this does rise to the level of a treaty. Again, there is no specific criteria in terms of what creates a treaty or comprises a treaty and what doesn't. In the end, what deter-

mines whether something is a treaty is how it is approved by Congress.

From my standpoint, when we take a look at the considerations in the Foreign Affairs Manual, in terms of what actually causes something to become a treaty, the extent to which the agreement involves commitments or risks affects the Nation as a whole. I think this deal between Iran and America and the world affects and risks—certainly affects the Nation as a whole.

Another consideration is whether the agreement can be given effect without the enactment of subsequent legislation by the Congress. I think the fact that we are even debating this bill lends credence to the fact that Congress needs to be involved.

In the end, though, it is not about involving Congress. This is about involving the American people. I think the American people should have a say through their elected officials as to whether this is a good deal or a bad deal. The fact that this bill does allow some involvement, some role, forces the administration to, for example, provide us the details of the bill. Can you imagine the arrogance that they would not even provide the details without this bill?

Again, I appreciate the Senator yielding time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI) is necessarily absent.

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 57, as follows:

[Rollcall Vote No. 167 Leg.]

#### YEAS—39

Barrasso	Grassley	Risch
Blunt	Heller	Roberts
Boozman	Hoeven	Rounds
Burr	Inhofe	Sasse
Cassidy	Johnson	Scott
Collins	Kirk	Sessions
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Crapo	McConnell	Thune
Daines	Moran	Tillis
Enzi	Murkowski	Toomey
Fischer	Paul	Vitter
Gardner	Portman	Wicker

#### NAYS—57

Alexander	Blumenthal	Cantwell
Ayotte	Booker	Capito
Baldwin	Boxer	Cardin
Bennet	Brown	Carper

Casey	Hirono	Perdue
Coats	Isakson	Peters
Cochran	Kaine	Reed
Coons	King	Reid
Corker	Klobuchar	Sanders
Donnelly	Leahy	Schatz
Durbin	Manchin	Schumer
Ernst	Markey	Shaheen
Feinstein	McCain	Stabenow
Flake	McCaskill	Tester
Franken	Menendez	Udall
Gillibrand	Merkley	Warner
Hatch	Murphy	Warren
Heinrich	Murray	Whitehouse
Heitkamp	Nelson	Wyden

#### NOT VOTING—4

Cruz	Mikulski
Graham	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority whip.

#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, the evidence of climate disruption caused by carbon pollution is clear and overwhelming. Yet the Senate is sleepwalking through this history. I am here today for the 97th time to say that we must wake up. Climate disruptions are felt in every corner of the globe, from the ocean floor to the reaches of the atmosphere and from pole to pole.

Indeed, the United States is an Arctic Nation. We have been so since Secretary of State Seward negotiated the purchase of Alaska from Russia in 1878 for about \$7 million. From our vantage point at the Arctic Circle, we are witnessing some of the direst climate disruptions.

The Arctic region has been warming now for decades, twice as fast as the rest of the planet. Alaska's warmest year on record was 2014, going back to at least 1918. Here I am talking about measurements, not a theory. This year the Alaskan winter was so mild that the start of the famous Iditarod race had to be moved from Anchorage to Fairbanks, more than 300 miles to the north, so that the mushers could find snow and hard, frozen rivers to sled on.

The Arctic Biodiversity Assessment, a project drawing on more than 250 scientists from 15 countries, detailed the risk to the iconic wildlife and landscape of the Arctic. The report's chief scientist said:

Polar bears and other highly adapted organisms cannot move further north, so they may go extinct. We risk losing several species forever.