

reached. With Iran's known enrichment facilities at Natanz and Fordow, as well as a heavy water reactor at Arak, under international oversight, the country's leaders would almost certainly look elsewhere to conduct any secret nuclear work.

Iran, of course, denies any desire to build a bomb, but distrust of Iran is based on deep historical precedence. Iran secretly built and operated Natanz and Fordow, and they still haven't come clean about their past military nuclear activities at Parchin. Therefore, ensuring a robust inspections regime is critical for my support of a final deal.

The Joint Comprehensive Plan of Action—JCPOA—fact sheet released on April 2 stated that Iran will be required to grant access to the IAEA to investigate suspicious sites or allegations of covert facilities anywhere in the country.

It was hoped that rapid inspections would underwrite the verifiability of the agreement, so if Iran were suspected of violating the agreement, the IAEA would have access to those suspected sites.

According to the latest reports, the IAEA would have the ability to investigate undeclared sites; however, Iran would still be able to dispute those requests in an international forum made up of five permanent members of the U.N. Security Council—the United States, Britain, France, Russia, and China—plus Germany, the EU, and Iran. As we look forward to examining the contours of an inspection regime, we must be wary of any proposal that allows Iran to jam up the IAEA and the dispute resolution process, while removing any evidence of violations that are occurring.

Our negotiators should expect questions from this Chamber: Are there clear loopholes for cheating? Does the administration have high confidence that Iran is not making bomb material at its declared nuclear facilities and that the inspectors are able to detect clandestine facilities?

Our standard will be an arrangement that prevents Iran from dodging or hiding from an inspections regime. Our intelligence, together with enhanced inspections, must be able to ensure that the United States will catch Iran if it takes the risk of pursuing a secret pathway to nuclear weapons and pursuing secret nuclear activities.

Let's not forget that Iran has a dismal record of compliance with its international obligations. Iran has a 30-year record of cheating on the non-proliferation treaty—30 years of cheating. Iran has a 30-year record of cheating, but already the Ayatollah stated that Iran will not allow inspections at military sites today. Khamenei is already backtracking on major commitments agreed to by negotiators on all sides.

This is a serious issue, and in my opinion, it is a clear ploy by Iran to frustrate the negotiations and move

the goalpost on these negotiations. Even more so, understanding the history, this reinforces how much we don't know about the military dimension of Iran's past activities. We have no baseline for monitoring Iran moving forward without an understanding of what has been sought in the past.

This is not new. The IAEA has raised these concerns. The April 2 JCPOA says: "Iran will implement an agreed set of measures to address the IAEA's concerns regarding the past military dimensions of its program."

Secretary Kerry stated in April that past military dimensions "will be part of a final agreement. If there's going to be a deal, it will be done." I applaud the Secretary's commitment to ensuring that the Iranians' past behavior will play a clear role in the ongoing negotiations.

We know that in this Chamber, my colleagues will examine this closely. We will also examine timelines. In the best-case scenario, for 10 to 15 years, Iran will limit its research and development, limit its domestic enrichment capacity, will not build new enrichment facilities or heavy water reactors, will limit its stockpile of enriched uranium, and will accept enhanced transparency measures. After 15 years, when it is allowed under the terms of the agreement to build its stockpile, it will only be able to do so for peaceful purposes.

But I believe we have to be clear-eyed about the other scenario, which is that after 10 to 15 years—a blip in time for a regime that has been under sanctions for decades—Iran ramps up its research and development efforts on advanced centrifuges, installs these centrifuges, and decides to break out.

Would this deal enhance the intelligence picture of Iran's nuclear capability? That is an important question. If so, would it adequately inform our military options should Iran attempt that breakout?

Are there assumptions being made that in the short term Iran may undergo internal political changes that will make them more favorable to the West? Are we assuming that in making this deal? Relying on such assumptions would be a dangerous gamble. There are no assurances about what the future state of their regime will be.

Finally, Congress must be clear that this deal must not only be credible to Congress, but it must also satisfy Iran's neighbors that have much to gain from an Iran that follows established international norms and far too much to lose if we allow a deal that leaves Iran's neighbors vulnerable to reckless rhetoric and aggression. If other countries believe we have wavered in our resolve to get the strongest possible deal, it will be very difficult to discourage other countries from developing or pursuing a weapon. This could lead to proliferation, and such proliferation would be catastrophic. It would be a catastrophic blow to an already unstable and unpre-

dictable region. This is not an abstract concern; Iran's neighbors are watching these negotiations carefully.

While I sincerely hope that in 50 years future Senators will discuss how the United States did what no other nation was able to do—build a comprehensive sanctions regime that brought Iran to the negotiating table, neutralized the threat of nuclear proliferation in the Middle East, and succeeded in putting an end to dangerous calls for the destruction of Israel—success is not certain. Success is not an inevitability.

I will not judge this deal before I see a final agreement. I encourage my colleagues to read the final text, as I am sure they will, before making judgments about the deal. We need to see what is in it.

Under the Joint Plan of Action, we have seen unprecedented inspections of Iran's nuclear infrastructure take hold. Iran's enriched stockpile has shrunk. There are limitations on their enrichment processes. Enrichment has been confined to one facility. This is progress. It is my hope that the negotiators are building upon this progress and working toward a comprehensive final deal. There is much at stake. The bar is set high—as it should be—for a deal, and the questions I have raised are among the many that will be asked and that must be asked as we examine a final deal in the coming weeks.

THANKING SENATE PAGES

Mr. BOOKER. Madam President, if I may take one more moment, today, as I understand, or tomorrow is the last day for this group of pages to be here with us.

I have been in this Senate now a little bit longer than this group of pages—about 20 months now. We see these groups of pages, and it is extraordinary to see young people come from all over America. Some of them may go on to government, but most of them will go on to do other things. We see them come into this Chamber and continue a tradition that has been going on for decades. They come and they go. But I want everyone to know that they really do enrich our experience here as Senators, and they help the staff do invaluable work for the operations of the Senate. They may be viewed as the lowest on the totem pole in this institution, but their value and the legacy they are continuing is a noble one.

Today, on the penultimate day of this group of pages, I wish to offer them my gratitude for their service to our country.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

KING V. BURWELL DECISION

Mr. CRUZ. Mr. President, today's decision in *King v. Burwell* is judicial activism, plain and simple. For the second time in just a few years, a handful of unelected judges has rewritten the text of *ObamaCare* in order to impose that failed law upon millions of Americans. The first time, the Court ignored Federal law and magically transformed a statutory "penalty" into a "tax." Today, these robbed Houdinis have transmogrified a "Federal exchange" into an exchange "established by the State." This is lawless.

As Justice Scalia rightfully put it, "Words no longer have meaning if an exchange that is not established by a State is 'established by the State.'" Justice Scalia continues: "We should start calling this law SCOTUScare." I agree.

If this were a bankruptcy case or any other case of ordinary statutory interpretation, the results would have been 9 to 0, with the Court unanimously reversing the Obama administration's illegal actions. But instead, politics intervened. For nakedly political reasons, the Supreme Court willfully ignored the words that Congress wrote, and instead read into the law their preferred policy outcome. These Justices have joined with President Obama in harming millions of Americans. Unelected judges have once again become legislators—and bad ones at that. They are lawless, and they hide their prevarication in legalese. Our government was designed to be one of laws, not of men, and this transparent distortion is disgraceful.

These Justices are not behaving as umpires calling balls and strikes. They have joined a team, and it is a team that is hurting Americans across this country. *ObamaCare* is the biggest job killer in America. Millions of Americans have lost their jobs, have been forced into part-time work, have lost their health insurance, have lost their doctors. Millions of Americans have seen their health insurance premiums skyrocket, and it is a direct result of President Obama, of Democrats in the Congress, and of lawless Justices at the U.S. Supreme Court who have joined the team of the Obama administration. If those Justices want to become legislators, I invite them to resign and run for office. That is the appropriate place to write laws—on this floor, not from that courtroom.

I began my career as a law clerk of the U.S. Supreme Court, clerking for Chief Justice William Rehnquist, one of the greatest Chief Justices ever to serve our Nation. I have spent the majority of my adult life litigating before the U.S. Supreme Court, both on behalf of the State of Texas and on behalf of private parties. What this Court has become is heartbreaking. If Chief Justice Rehnquist could see this Court today, he would be filled with sorrow at what has become of the Supreme Court of the United States.

The obligation of fidelity to the Constitution and fidelity to law matters.

We are not living in a platonic oligarchy with philosopher kings governing us who believe they get to write the laws, interpret the laws, and enforce the laws. That is not the American system of governance.

At the same time, crocodile tears are flowing here in our Nation's Capital over the Supreme Court's decision to illegally rewrite *ObamaCare*, which has been a disaster since its inception. But one day of faux outrage from the Washington cartel won't fool the millions of courageous conservatives all across our country. They know that far too many career politicians—Democrats and Republicans—in this Nation's Capital are quietly celebrating the Court's decision. If they believe this issue is now settled so they don't have to address it, they are sorely mistaken.

I have made repeal of this disastrous law a top priority since the very first day I entered into this body, and I have made its repeal central to my tenure in office. Republicans all across the country, including my friend the Presiding Officer, campaigned on repealing this law and were elected in a historic tidal wave year—historic majorities in both Chambers of this Congress and in statehouses all across the country. It is now up to us to keep our promises.

I believe 2016 will be a national referendum on repealing *ObamaCare*. This law is profoundly unpopular. It is unpopular with Republicans, it is unpopular with Independents, it is unpopular with Democrats, it is unpopular with young people, it is unpopular with Hispanics, and it is unpopular with everybody it has hurt, and there are millions being hurt by this law.

The Court adopted and put its stamp of approval on the IRS's blatantly unlawful reading of the statute to make subsidies and taxes applicable to individuals on Federal exchanges when Congress explicitly provided the opposite. Jonathan Gruber famously said *Obamacare* was built on exploiting the stupidity of the American people. Well, unfortunately the Supreme Court is now complicit in that deception. The Supreme Court has joined President Obama, whose statement "if you like your health insurance plan, you can keep your health insurance plan" was rightfully noted as the lie of the year as millions of Americans lost their doctors. Now those rogue Justices are complicit in that lie, in setting aside their oath of office to lie to the American people.

After today's ruling, *ObamaCare* will now be responsible for imposing illegal taxes on more than 11 million individuals and for burdening hundreds of thousands of businesses with illegal penalties on their workers, killing jobs and further slowing economic growth.

You are a young person right now. You come out of school. You have student loans up to your eyeballs. You are struggling. You don't know if you are going to get a job. The dismal Obama economy means your future is bleak. You have no hope or optimism of actu-

ally getting a career, getting skills, moving towards the American dream. Well, today the U.S. Supreme Court has joined arm in arm with President Obama and the IRS in illegally imposing taxes on you—you, that young person starting your career, struggling to make your student loan payments.

Working as a part-time employee making coffee doesn't pay those payments, and yet you are stuck with the individual mandate, which is a tax, so says the Supreme Court and so the Obama Justice Department argued. Right after President Obama told the American people it wasn't a tax, the Obama Justice Department said yes, it is a tax. The Supreme Court agreed. You, the single person, the single mom trying to feed your kids, are paying an illegal tax because of the lies emanating from Washington, DC.

You, the teenage immigrant, as my father was 58 years ago, washing dishes, making 50 cents an hour—he couldn't speak English, but he was filled with hopes and dreams. He was filled with an aspiration for the American dream. Ours is the greatest Nation in the history of the world because people can start with nothing and achieve anything. That is the promise of America.

ObamaCare is strangling that promise. You, the teen, are paying illegal taxes right now today because of President Obama's deception, because of the IRS's lawlessness, and because of the Supreme Court's judicial activism, violating their oaths of office.

I remain fully committed to repealing every single word of *ObamaCare*. Mark my words. Following the election in 2016, the referendum that we will have, in 2017, this Chamber will return and we will repeal every word of *ObamaCare*. We will bring back economic growth, we will bring back opportunity, and then we will pass commonsense health reform that makes health insurance personal, portable, and affordable and that keeps government from getting between us and our doctors.

We will recognize that this horrible experiment has failed. When millions of Americans lose their jobs, are forced into part-time jobs, lose their health care, lose their doctors, when millions of Americans see their premiums skyrocket, it is incumbent on Members of this body, it is incumbent on the Federal Government to fix the wreckage they caused, to fix the wreckage the Supreme Court has now embraced lawlessly.

We will repeal *ObamaCare*, and I will fight with every breath in my body to make sure that happens in 2017.

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.

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