Members in both parties—including Democratic leadership in Congress—warned the administration not to have the U.N. vote on this agreement before the American people and the Congress they elected had a chance to weigh in first. There was no reason to seek U.N. approval first, but the administration ignored Democrats, ignored Republicans, and did so anyway. Why? Why did they do that? They need to explain.

Is this deal really about keeping America, the region, and the world safer, or is it simply a compendium of whatever Iran will allow—an agreement struck to take a difficult strategic threat off the table but one that might actually empower the Iranian regime and make war more likely? They need to explain this, too, because Iranian leaders, including the Foreign Minister, have hailed this deal as a victory over America. The Iranian Foreign Minister says this is a great victory over America. The Supreme Leader even boasted that ''our policies toward the arrogant US government will not change.'' That is the Supreme Leader of Iran—''Our policies toward the arrogant US government will not change''—and he said that to chants of ''Death to America'' from the crowd below. Even Secretary Kerry was taken aback by the response from Iran.

We know this isn't about playing to some electorate in Iran because the Islamic Republic isn't truly a republic, and the unelected Supreme Leader has no electorate to report to. So we need to move beyond the rhetoric—including that the choice here is between a bad deal and war, which no serious person truly believes—and get to real answers instead. Our committees will be holding hearings that will begin to shine a light on this agreement, and they will aim toward getting the American people more of the answers they deserve. Tomorrow's hearing will be important, but it is not the end of the process, it is just the beginning. We will have more hearings. We will interview more witnesses. We will continue endeavoring to answer the question of whether this deal will enhance or harm our national security. And then we will take a vote on it on behalf of the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE HIGHWAY BILL

Mr. REID. Mr. President, I am having a caucus today. We have the bill. We worked through the night. I wasn't up all night, but my staff was. I did spend quite a bit of time on this bill. I think we have a basic understanding of it. I am having a caucus today, and we will have my ranking members from Finance, Commerce, Energy, and Banking report on how they look at this bill.

It is my hope that we can work our way through all the issues dealing with this legislation. I think the main reason we are where we are now is we have focused on the importance of a long-term highway bill. So I hope we can work our way through these issues. There are some significant issues, I have already been alerted by my staff, with the transit title. Some of the payfors are somewhat questionable. But before we start drawing lines in the sand here, let's see if we can figure out a way to get this done. So we will know that sometime early this afternoon.

JUDICIAL NOMINATIONS

Mr. REID. Mr. President, Alexander Hamilton said, ''The first duty of society is justice.'' If that is true—and I certainly believe it is—then the Republican Senate is failing miserably on its first duty. By neglecting to live up to their constitutional duty to provide ''advice and consent,'' it is clear the Republican leader and his party are denying justice for the American people.

Federal courts depend on us—the United States Senate—to do our job so justice can be dispensed in courtrooms across the country. But Republicans clearly have no interest in seeing these courtrooms and judicial chambers staffed adequately. So far this Congress, Republicans have confirmed only five judges. By this same point in the last Congress of George W. Bush's Presidency, under my leadership, the Senate had confirmed 25 judges. Five to one seems unfair. There are real repercussions when Republicans refuse to act. We didn't have judicial vacancies then. We did it because it was the right thing to do.

If there aren't enough judges to hear the cases that are piling up, a vacant judgeship is declared an emergency. At the beginning of this year, there were only 12 judicial emergencies that deserved priority attention. Yet, in the mere 7 months of this Republican-controlled Senate, the number has doubled and is on its way to tripling very soon. As of today there are 28 judicial emergencies, including 4 judges currently pending on the floor. But that is really an unfair view because having them pending on the floor takes into consideration that the Judiciary Committee is doing their job—holding hearings on these nominations—and they are not. This is something which was learned years ago when the Judiciary Committee was operated by the present chair of the Finance Committee. How he got around having these judicial nominations stacked up on the calendar was he wouldn't do the hearings. That is what has now been taking place in the Judiciary Committee.

There are real-life consequences to this obstruction. Each judge Republicans block, each nomination they slow-walk results in delay of justice. As the maxim goes, justice delayed is justice denied. And that certainly is true.

A Wall Street Journal article from April quoted U.S. district judge Lawrence O'Neill from the Eastern District of California:

> Over the years I've received several letters from people indicating, ''Even if I win this case now, my business has failed because of the delay. How is this justice?'' And the simple answer, which I cannot give them, is this: ''It is not justice. We know it.''

Judge O'Neill is 1 of 25 judges I worked to confirm in the first 6 months of the 110th Congress with President Bush. He is absolutely right. What is happening now with the judicial emergencies across the country is not justice. This is Republican politics as usual.

We saw it on display last week when the junior Senator from Delaware came to the floor and asked consent to confirm 5 consensus judges to the U.S. Court of Federal Claims, a really important block of judges doing important work for this country. It was not an outlandish request. After all, the Judiciary Committee favorably reported these five nominations twice—last year under Democrats and again this year under Republicans—but the Presiding Officer, a Republican, objected to that request. His reasoning? The Court of Federal Claims doesn't need these judges. Perhaps the junior Senator from Arkansas should ask the chief judge of the Court of Federal Claims if his court does not need those new judges. The chief judge has pleaded for the immediate filling of these five vacancies since they are creating a caseload problem for the court. But the freshman Senator from Arkansas had his mind made up and blocked every attempt to confirm even a single judge to this important court.

One of his home State newspapers, the Arkansas Times, headlined its report: ''Tom Cotton continues his obstructionist ways.''

Yesterday the Washington press took notice that the blocking of these judges coincidentally lined up with the interests of a powerful conservative law firm that is currently representing clients before this court.

A Roll Call headline says: ''Cotton Blocks Judges on Court Familiar to His Former Law Firm.'' I don't mean to necessarily point fingers at anyone. After all, the junior Senator from Arkansas is only following, I assume, the Republican leader's example. There are currently five district court judges awaiting votes on the Senate floor. All five were reported out of the Judiciary Committee unanimously, proving they are consensus, noncontroversial candidates. So why hasn't the Republican leader scheduled their confirmation votes? Three of the district nominations are classified as judicial emergencies—including one judge in the Eastern District of California, and that is the court that Judge O'Neill serves. The Republican leader should bring them to the floor.

Again, the record is clear. Democrats confirmed all of these judges for President Bush, and the Republicans are basically confirming no one for President

Obama. Any objective observer would tell you that it is not fair. Not only is 5 to 1 not fair, but it is also the fact that hearings are simply not being held.

Maybe it is time for a new strategy. Maybe it is time for the Republican leader to live up to his constitutional duty, do his job, and start moving all of these backlogged nominations and directing the Judiciary Committee to hold hearings. The American people need these judges, and they need them now, working to ensure that everyone gets the justice he or she deserves. To allow these qualified nominees to linger longer is simply unjust and unfair. The American people expect more from the Republican leadership and Congress and deserve better. We are going to do everything within our power to bring to the American people's attention that the Republican leadership is not doing a very good job on this and other matters before the Senate.

Mr. President, what is the schedule of the Senate today?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first hour and the Democrats controlling the second hour.

The majority whip.

NUCLEAR AGREEMENT WITH IRAN

Mr. CORNYN. Mr. President, ahead of tomorrow's hearing in the Foreign Relations Committee with Secretaries Kerry, Moniz, and Lew on the President's announced nuclear deal with Iran, I wanted to take a few minutes to address just how far the administration has moved its own goalposts in terms of this purported deal.

Over the last few years the administration has made extensive public statements about what would and would not be acceptable in a final deal with Iran, and today it is clear that the final deal falls short not necessarily of other people's expectations but of their own standards and their own stated expectations.

As Senators consider this proposed deal and whether it should be approved or disapproved, I think it is important to have a good understanding of where the President and his team did not meet their own expectations.

From the early stages of the negotiation, the Obama administration made clear that a key part of any ''good deal'' would be dismantling Iran's nuclear infrastructure.

Before the House Foreign Affairs Committee, Secretary Kerry said back in December of 2013 that ''the whole point'' of the sanctions regime was to ''help Iran dismantle its nuclear program.'' However, President Obama, in previewing the deal in April of this year, essentially admitted that it would fall short of this standard by saying that ''Iran is not going to simply dismantle its program because we demand it to do so.'' But weren't our negotiators actually demanding that Iran dismantle its nuclear program? That had been our stated policy as the U.S. Government. Wasn't that—in Secretary Kerry's own words—''the whole point''?

As Prime Minister Netanyahu of Israel pointed out, instead of dismantling the nuclear infrastructure of Iran, the No. 1 state sponsor of international terrorism and threat to the safety and stability of the Middle East, this deal legitimatizes and paves the way for their nuclear program and its enrichment capability. In fact, by the time this deal expires, the rogue regime in Tehran will have an industrial-sized nuclear program.

For the duration of the agreement, Iran will be able to conduct research and development on several types of advanced centrifuges. In year 8, Iran can resume testing its most advanced centrifuges, and in year 9 it can start manufacturing more of them. That is hardly dismantlement. That is the opposite of dismantlement.

I also want to address another important point that has been made concerning inspections because, as we know, Iran will cheat. So inspections take on an especially important role in enforcing any agreement that is made. In particular, I want to address this issue of anytime, anywhere inspections.

In April, President Obama announced that a good deal had been struck between world powers and Iran and noted that the deal would ''prevent it from obtaining a nuclear weapon.'' This is, of course, now known as the ''framework deal''—a precursor to what was announced last week.

A few weeks after this announcement, Secretary Ernest Moniz, the Energy Secretary, who was at the table with Secretary Kerry in negotiating this deal, said: ''We expect to have anywhere, anytime access.'' He said that on April 20, 2015. This is a particularly clear statement from someone intimately familiar with the negotiation process, and, of course, it was well received because this is, at a minimum, what needs to be done in order to keep Iran from cheating. But by the weekend, the administration was singing a different tune.

This is what Secretary Kerry said when he began to backtrack from what was said by Secretary Moniz on April 20. He said that ''anywhere, anytime'' inspections was ''a term that honestly I never heard in the four years that we were negotiating. It was not on the table.'' I don't know whether Secretary Moniz and Secretary Kerry actually talked to each other or not. They spent an awful lot of time together in Vienna and supposedly would be on the same page. But for Secretary Kerry to say this really incredible statement, that he never heard of this idea, and that this was not on the table is simply incredible.

So, of course, my question is: Were anywhere, anytime inspections ever on the table? And if not, why did the administration tell us they were—including the Secretary of Energy. And if they were not on the table, why is this deal actually a good deal? Why can we have any sense of conviction or belief that Iran won't cheat, especially given this Rube Goldberg sort of contraption involving notice and this bureaucratic process that will basically lead up to a 24-day delay between when inspections are requested and before inspections can actually be done? We know from our experience with Saddam Hussein in Iraq that it is easy to move things around and avoid the inspectors of the IAEA.

This deal today provides that inspectors will have ''managed access''—whatever that means—to suspect sites, but, as I said, it allows up to 24 days for Iran to stall inspectors before it actually grants them access, if they ever do. This is another way of saying that Iran will be able to cheat with near impunity.

The administration has also led us astray on a third item, and that is Iran's ballistic missile capability. This is the vehicle by which Iran could launch a nuclear weapon to hit people in the region or even further.

In February of last year, the chief U.S. negotiator, Wendy Sherman, testified before the Senate Foreign Relations Committee that while Iran had ''not shut down all of their production of any ballistic missile,'' the issue was ''indeed, going to be part of something that has to be addressed as part of the comprehensive agreement.''

Ballistic missiles, as we know, can be used to deliver a nuclear weapon, and now under the current deal, the arms embargo in Iran will be completely lifted in just 8 years' time, including on ballistic missiles. I don't think the administration simply changed their minds and decided that this wasn't an important issue. I think they simply caved on yet another important item to our national security and that of our allies.

Earlier this month, for example, the Chairman of the Joint Chiefs of Staff, Martin Dempsey, testified that ''under no circumstances should [the United States] relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' So with this purported deal, the administration has apparently caved once again on something that the Chairman of the Joint Chiefs of Staff, who is the No. 1 military adviser to the President of the United States, said should be off the