

scheduled the vote on this legislation, but also Chairman ALEXANDER of the Health, Education, Labor, and Pensions Committee and Ranking Member MURRAY.

Senator MURRAY has also been very important in working with us on important anti-human trafficking legislation that passed the Senate 99 to 0. She worked with us on the President's request for us to pass trade promotion authority that only 13 Democrats voted for. This is an important piece of economic legislation.

Then, in recent days, we passed the first multiyear highway bill. That was due to the partnership of Senator INHOFE, chairman of an important committee, Chairman HATCH, chairman of the Finance Committee, and Senator BOXER on the Democratic side basically trying to take on her own leadership that didn't want us to pass a multiyear highway bill, at least at first, because they wanted to use the pay-fors in that bill to spend on other things.

My point is that leadership is important not only at the Presidential level; it is important here at the level of Congress in terms of setting the agenda. But the hard work of legislation is actually trying to find areas of common ground and consensus so we can actually get things done.

There are some times that stopping what the majority wants to get done is the right thing to do—when the legislation is misguided, when it is the wrong kind of policy. But we found places where we can work together in order to deliver results for the American people, and the Every Student Succeeds Act is an example of that. It replaced a law which was sorely in need of reform, and it stopped Washington from imposing common core mandates on our classrooms. It will ensure that power is devolved from Washington back to the local communities, to parents and teachers, where that power should exist.

In the words of Chairman ALEXANDER, it has eliminated the Department of Education as a national school board. Our country is simply too big and too diverse, and the needs of our students in local communities are so different that the power to innovate, the power to set the standard, and then to find the most creative and innovative way to achieve those standards I believe is best determined at the local level and not here in Washington, DC. This legislation does just that.

I use as an example Laredo, TX, where I went to a ninth grade science class. Due to the proximity of the Eagle Ford Shale in South Texas, they were teaching ninth graders the fundamentals of petroleum geology as a way to teach their science courses. So the students could see the future of a job in the oil and gas sector because of the proximity of the Eagle Ford Shale and the prosperity that has brought and a direct connection between the otherwise abstract lessons of science

that they might be learning in class. Washington, DC, is not going to be able to come up with that kind of creative solution or way of making science relevant to students in Laredo, TX. So I use that as an example of why this legislation is so important to leave to the States and local school districts, parents, and teachers the ability to determine the curriculum and accountability measures they want to adopt.

I am proud we have come together in true bipartisan fashion to strengthen the hands of parents, teachers, and local communities and to provide real education reform for our children.

PRESIDENTIAL STRATEGY TO DEFEAT ISIS

Mr. CORNYN. Mr. President, I want to talk about the speech the President gave on the Islamic State, or ISIS. He spoke about this to the Nation last Sunday night. I read all the newsclips after having listened to what the President had to say, and I think the universal reaction was that the President did not come up with anything new. Basically, the message was that we are going to stay the course.

Of course, this is the same President who called ISIS “contained.” I don't know of any other person—any other person with any knowledge of the subject matter—who would share the view the President expressed, that ISIS was somehow contained. Indeed, we have learned that the threat of ISIS is threefold: We have the battle raging in the country, what started out as a civil war in Syria. Now the borders between Iraq and Syria have essentially been erased, and ISIS is controlling large portions of those two countries. It is also about the foreign fighters who come from Europe and other places within the region and even from the United States. There have been examples of people who come from the United States over to the fight in Syria and Iraq in order to help ISIS. Then, as we sadly learned again, just as we learned in Paris recently, we have seen in San Bernardino, CA, the radicalization of people already in our country, using things such as social media and the Internet.

It is troubling that the President did not choose to tell us what new strategy he was going to use in order to actually make sure we were able to accomplish his own stated objective of degrading and destroying ISIS. Instead, we heard that he had no interest in changing course. As I said a moment ago, this has dangerous and dramatic consequences right here at home too. In light of the terrorist attacks in San Bernardino—one that killed 14 people and wounded more than 20—you would think that the President would reconsider whether the course we are on needs a midcourse correction.

We saw that, for example, in Iraq. President Bush saw the war in Iraq going poorly, despite our best efforts—and then took a huge chance, upon ad-

vice of General Petraeus and other military leaders, to conduct a surge. It was a big risk, but it paid off.

President Obama, on the other hand, does not seem to want to learn from his experience or his mistakes. This “wait and see” approach has served only to strengthen the stranglehold ISIS has on the Middle East, and it has enabled the recruitment of thousands of jihadists from all over the world.

What we really need from the President is to listen to his military and national security leadership and to formulate a comprehensive strategy against ISIS and bring additional military means against them. The President likes to say this is a choice between what we are doing now and American boots on the ground. That is a false choice. That is not the choice. Those aren't all the options available to the President. But we need to bring means against ISIS that would inflict sizable losses, shatter their false narrative about their actually prevailing and making advances in their effort to reestablish or establish a Caliphate in the Middle East, and stop them from spreading their hateful ideology and their violence—not only in Syria, Iraq, and in that region, but around the world.

In short, what we need is a dramatically different approach. This concern for our current trajectory in the fight against ISIS is not shared only by folks on this side of the aisle. A number of our colleagues across the aisle agree that the President's strategy isn't working, but some of their solutions are pretty puzzling. Just this week, the Democratic leader and some of the other senior leaders across the aisle said that the solution is for the President to appoint another czar—a czar that can eliminate ISIS.

We don't need another appointed bureaucrat. We need a Commander in Chief who is willing to recognize the reality on the ground, one who will step up and lead, and one who will lay out for Congress and the American people a strategy that has a reasonable chance of success.

Because of the President's refusal to change course and develop a serious and aggressive strategy to eradicate ISIS, several of my colleagues and I have sent a letter to the President with some hopefully constructive suggestions. We have urged him to take commonsense measures that are designed to accomplish his own stated goal of degrading and ultimately destroying ISIS.

It is evident that any way forward must inflict significant territorial losses to ISIS. Right now we are engaged in bombing missions, which are necessary but not sufficient to actually hold any territory. That takes people on the ground. It takes military advisers. It takes the United States' leadership—not our U.S. military on the ground—but it takes somebody there to reclaim territory that Americans fought to secure just a few short years

ago, such as in Ramadi, Fallujah, and Mosul.

I said before that I think the President made a terrible mistake when he precipitously pulled the plug on the American presence in Iraq, because what happened is we simply squandered the lives and the treasure lost in securing cities such as Ramadi, Fallujah, and Mosul. It breaks my heart to think about the Gold Star Mothers and other people who lost family members in those fights only to see now that territory squandered. Think about our veterans who perhaps lost a limb from an IED, a roadside bomb. It is really a terrible thing. Now the President does have a chance to try to change his strategy in order to reclaim the territory from Iraq and, again, to undercut this false narrative of ISIS invincibility.

First, in this letter that we wrote to the President we suggested that the United States should embed military advisers alongside of the Iraqi Security Forces, the Kurdish Peshmerga, and Sunni tribal forces to strengthen their hand on the battlefield. These are some of the people who can be the boots on the ground and not American soldiers and service men and women. This could include additional U.S. troops to serve as joint terminal attack controllers—or JTACs—who can help ensure that our airstrikes against ISIS are much more accurate, timely, more lethal, and avoid collateral damage to innocent civilians.

We know the United States has the most powerful military in the world—equipped with the most advanced aircraft and the best trained pilots to fly them. But in order to leverage the advantage in the air, we need to work more closely with those on the ground. Again, this isn't going to happen without American leadership. By deploying additional close air support platforms—including Apache attack helicopters—for use in coordination with embedded JTACs, we can bring real support to those who find themselves in close contact with ISIS.

Again, the President likes to say “no American boots on the ground” but the fact is there are about 3,500 or so U.S. service men and women in Iraq, and the President recently announced he was going to deploy a contingent of special operators to help do exactly what I described here. But he has not yet come up with a strategy that will actually help them accomplish their goal.

The President also needs to understand the real need for a thorough review of the current approval process for coalition airstrikes. By making this review process less unwieldy, we can remove barriers that inhibit our pilots from striking strategically significant ISIS targets and doing it in a timely manner. On the battlefield, seconds matter. Our pilots who are engaging ISIS and putting their lives on the line should be allowed a shorter strike-approval timeline.

Finally, the letter my colleagues and I sent to the President asks him to establish safe zones inside Syria to protect the Syrian refugees. I have had the occasion to travel to some of the refugee camps in Turkey and Jordan, for example. Ever since the Syrian civil war occurred a couple of years ago, there have been massive dislocation of people from Syria into adjoining countries, further destabilizing those countries and, obviously, being a huge burden upon them. But what we need is a no-fly and no-drive zone so Syrians can stay in Syria rather than having to flee to adjacent countries or Europe or now come to the United States, for example. It would help safeguard innocent men, women, and children who are getting caught up in the crossfire.

We can do this. We have done it before in Northern Iraq. It takes a plan, and it takes American leadership. We can help take a lot of pressure off of Europe and surrounding countries in the Middle East, as well as our own country, by people who understandably are fleeing the devastation and the danger in their own country. Of course, the President and the United States can't do it alone. That is why we also encourage the President to leverage our partnerships in the region and hopefully find ways to mobilize NATO, or the North Atlantic Treaty Organization, in the planning and implementation process. NATO is very much engaged in Afghanistan, for example, and there is no reason why NATO, with American leadership, can't make a big contribution to what is happening in Syria and Iraq.

I hope President Obama reads our letter, and I hope he seriously considers how the United States can move forward with our partners in a much needed direction to accomplish the goal that he himself stated of degrading and destroying ISIS. Unfortunately, the current plan is not ever going to succeed. Just bombing, as I said earlier—airrikes—is not sufficient.

Unfortunately, the recent attack in San Bernardino reveals that the extremist ideology of ISIS is not contained in the Middle East, as I mentioned earlier—the radicalization of people already here in the United States. We saw that, for example, in 2009 with MAJ Nidal Hasan at Ft. Hood, TX. We saw it earlier this year in Garland, TX. Unfortunately, we saw that in San Bernardino last week.

By the way, this is another item on the President's and on our to-do list. The FBI Director this morning testified that before the attacks in Garland, TX, where two people traveled from Phoenix in full body armor and with automatic weapons and tried to attack an exhibit in Garland, TX, one of the attackers sent 109 encrypted messages overseas to a terrorist contact there. But because they are encrypted, even with a court order, the FBI has not been able to see the contents of those messages. The FBI Director and the

Deputy Attorney General have said this is a big problem for the United States because many technology companies are marketing their ability to encrypt their messaging and, thus, keep it out of the eyes—away from the eyes—of law enforcement, even with a court order.

Again, recently we voted to eliminate the bulk data collection at the National Security Agency. To remind everybody, this was about taking a known terrorist's phone number overseas and comparing that against call records here in the United States that don't reveal content but do reveal the domestic phone number so that the law enforcement authorities can go to a court and ask the court to allow them to look into the content of that communication. But, of course, this was misrepresented by some who claimed the privacy interests trumped national security interests.

Certainly, we have to find the right balance between privacy and security. But this encryption technology, which, again, is being marketed by certain companies in order to increase their market share, is being used by terrorist organizations. In fact, the FBI Director said this has now become part of the terrorist tradecraft—that is the way he put it—to use these encrypted devices.

My point is that whether it is the fight in Syria and Iraq or whether it is the foreign fighters traveling from the United States or Europe to Iraq and Syria and returning to the United States or whether it is radicalization of people already in place here in our own country, this is a war we cannot afford to lose. In a way, it seems like we are not using all of the resources available to us to fight a war against the terrorist threat when clearly they are using every resource they have available to fight a war against the United States and our freedom.

I hope the President will reconsider his course of action dealing with ISIS. I am sorry to say that unless the President does, I think we are going to see other attacks—not just in Europe, not just people dying unnecessarily in Syria and Iraq, but further attacks here in the homeland.

The President has some very talented military advisers. General Dunford and General Milley, the Army Chief of Staff, and others can provide him a strategy that actually will have a better chance of succeeding if he will listen and if he will reconsider. I know that sometimes when people like me have criticized the President for having no effective strategy, people have said: What is your strategy? Well, it is not our responsibility. It is the Commander in Chief's responsibility to come up with a strategy. But taking that challenge on, my colleagues and I have sent this letter where we list some options for the President that I hope he will consider.

We need a more focused, a more effective, a more robust strategy—one

that is undergirded with a political framework that can sustain a lasting rejection of the bankrupt ideology pedaled by ISIS. We don't have time to stick to a plan that has proven not to work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. TOOMEY. Mr. President, I wish to address an issue that has kind of been pushed into the background by virtue of a series of events that has, quite understandably, captured all of our attention. The atrocities committed by ISIS has justified a focus of attention on how we can make America more secure from this very frightening and dangerous threat, but we shouldn't lose sight of an ongoing threat that is simultaneously developing, and I am referring to the Iran nuclear deal and the very disturbing developments that have occurred just in the short period of time since the JCPOA, the agreement between the Western powers, including the United States, and Iran, was announced.

This is a deal that in its own right is very disturbing. I found it impossible to defend. Since then, it has gotten worse, and in my view additional developments clearly indicate that we don't really have an agreement here, and the President should not be lifting sanctions in a few weeks. My fear is that is exactly what the President intends to do. Let me walk through several of the items that have occurred recently that are particularly disturbing.

Item No. 1, almost immediately after the deal was announced, the Iranian leadership insisted they would essentially rewrite some very important parts of the deal. Specifically, they demanded that the sanctions had to be permanently lifted rather than suspended indefinitely. The JCPOA language says the United States will "cease the application of sanctions." The administration has been very clear. They told us that means the sanctions are suspended, but the framework remains in place in case they need to be reapplied. They have predicated the entire viability of this agreement on the ability to reimpose sanctions, so it is essential that they in fact be available to reapply. The Iranians have said: No, absolutely not. That is not what the agreement says. It says these sanctions are to be lifted and permanently removed and they cannot be restored for any reason under any circumstance.

Well, which is it? The Iranians have clearly indicated that they have a very

different understanding than our administration does, and this matters because whether sanctions can be reimposed in the event of a violation is absolutely central to the enforcement of this agreement, and that is according to the administration.

Item No. 2, shortly after the deal was announced, a couple of our colleagues—a House Member and a Senator—discovered the existence of two secret side deals. While on a trip to Europe, they discovered that these agreements were negotiated between the IAEA, the International Atomic Energy Agency, charged with much of the enforcement of this agreement, and the government in Tehran. It went to the heart of the past nuclear weapons activity that the Iranian Government was involved in. The administration didn't tell us about these side agreements or give us these side agreements, but it turns out they exist.

The nuclear review act stated very clearly that the President was obligated to give us all related documentation—all of it. The actual language is "any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance."

I think it is abundantly clear that the legislation actually in fact says, and intended to say, that anything in any way related to this agreement had to be handed over to Congress. It never happened. We never got it. To this day, we haven't gotten it. In fact, no Member of Congress has seen these agreements—these two documents. It is not just that no Member of Congress has seen them, nobody in the administration has seen them because the administration thought it was OK to just trust some other entity to negotiate a very central enforcement provision of this agreement without ever being able to even see it. It is unbelievable. No. 1, the President is in violation of the law if he lifts these sanctions because the law clearly states that process can't begin until we have gotten all the documents, and we still haven't, and a very important aspect of this agreement is something that the administration has never seen.

Item No. 3, October 3, just a few weeks ago, Iran launched a new long-range, precision-guided ballistic missile. Even the Obama administration acknowledges that this is a violation of U.N. Security Council Resolution 1929, which prohibits any ballistic missile activities on the part of Iran. Let me briefly quote from that resolution. It is a resolution that, by the way, supports the JCPOA. It is an integral part of the nuclear deal with Iran. It states that Iran is "not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology, until the date eight years after the JCPOA." The intermediate-range ballistic missiles that the Iranians launched could abso-

lutely hold nuclear weapons. They have a 1,000-mile range and could reach Israel.

A few weeks after that, on November 21, Iran launched a second ballistic missile. In spite of everybody pointing out that they were in violation of the JCPOA with the first launch, they demonstrated just how concerned they were about that by a second launch. It was a slightly different system, quicker setup time, more mobility, more maneuverable, and still capable of delivering nuclear weapons. Why does this matter? Well, it matters because it demonstrates that Iran has every intention to continue to improve its ability to deliver nuclear weapons great distances, with great precision. It demonstrates the continued intent of Iran to develop the capability to threaten and attack Israel and U.S. allies.

It is a fact that with this technology in place, if and when they violate this agreement and develop nuclear weapons—or even if they just wait until it is over and develop nuclear weapons, which the agreement permits—they will be immediately prepared to launch these weapons great distances. Maybe most fundamentally, Iran is in open violation of the JCPOA. They obviously have contempt for this agreement. How can we trust them when they are blatantly and flagrantly violating central parts of it?

Item No. 4, October 29, Iran sends weapons to the Assad regime on Russian cargo planes, violating another U.S. Security Council Resolution, as was part of a bigger deal. It included, in the negotiation of the deal, that Commander Soleimani travel to Russia, which is in violation of the U.S. Security Council Resolutions because a travel ban had been imposed personally on him. That didn't matter. He went to Russia and negotiated an agreement that included weapons for Assad, in violation of another U.N. Security Council resolution, and Russian delivery of the SA-300 Air Defense System for Iran.

Why is this important? Well, it is yet another flagrant violation of international law and U.N. Security Council resolutions but also because the delivery of these surface-to-air missiles diminishes the ability and credibility of a military strike against Iran, which we have been told is always the ultimate backstop. You would think that maybe the administration would have some concern about this.

Item No. 5, October 29, Iran arrests an American and convicts another American. The Iranian regime arrested the Iranian-American businessman Siamak Namazi and convicted Washington Post reporter Jason Rezaian in a show trial. This American reporter has now been held for over 500 days. Meanwhile, of course, the Iranian hardliners continue to hold their anti-American rallies, burn American flags, and shout "Death to America."

Why does all of this matter? After all, this was not contemplated by the