

Whereas the University of Georgia head football coach, Kirby Smart, a University of Georgia alumnus and former Georgia Bulldogs defensive back, has now led his team to 5 consecutive Associated Press Top 10 finishes and the first national championship since the end of the 1980 college football season;

Whereas this victory extends the record of Coach Smart to 66 wins and 15 losses during his tenure as the 26th Football Head Coach at the University of Georgia, his first stint as a head coach;

Whereas members of the 2021–2022 Georgia Bulldogs have been honored by various awards throughout the 2021 college football season and during the post-season, including the 2021 Chuck Bednarik Award and Outland Trophy winner, Jordan Davis, and the 37th Dick Butkus Award winner, Nakobe Dean;

Whereas President Jere Morehead, Athletic Director Josh Brooks, and Coach Kirby Smart have emphasized the importance of academic success to the Georgia Bulldogs and all student-athletes at the University of Georgia; and

Whereas the 2021–2022 Georgia Bulldogs have brought great pride and honor to the University of Georgia, loyal fans of the Georgia Bulldogs, and the entire State of Georgia: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Georgia Bulldogs football team for a great season and winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship game;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the championship season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of the University of Georgia, Jere Morehead;

(B) the Athletic Director of the University of Georgia, Josh Brooks; and

(C) the Head Coach of the University of Georgia Bulldogs football team, Kirby Smart.

#### NATIONAL SCHOOL CHOICE WEEK

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 501, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 501) designating the week of January 23 through January 29, 2022, as “National School Choice Week”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 501) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### ACKNOWLEDGING AND COMMEMORATING THE WORLD WAR II WOMEN IN THE NAVY WHO SERVED IN THE WOMEN ACCEPTED FOR VOLUNTEER EMERGENCY SERVICES (“WAVES”)

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 502, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 502) acknowledging and commemorating the World War II women in the Navy who served in the Women Accepted for Volunteer Emergency Services (“WAVES”).

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. I further ask that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 502) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The Senator from New Jersey.

#### IRAN

Mr. MENENDEZ. Madam President, for nearly 30 years, first as a member of the House Foreign Affairs Committee and, to this day, as chairman of the Senate Foreign Relations Committee, I have had the privilege of engaging in the most pressing foreign policy and national security issues facing our Nation.

While we are rightly focused on the crisis unfolding around Ukraine, we must not lose sight of how dangerously close Iran is to becoming a nuclear-armed state, for we know that a nuclear-armed Iran would pose an unacceptable threat to U.S. national security interests, to our allies in Europe, and to overall stability in the Middle East.

As someone who has followed Iran’s nuclear ambition for the better part of three decades, I am here today to raise concerns about the current round of negotiations over the Joint Comprehensive Plan of Action and Iran’s dangerously and rapidly escalating nuclear program that has put it on the brink of having enough material for a nuclear weapon. Three to four weeks—a month or less—is how long most analysts have concluded it would take Iran to produce enough fissile material for a nuclear bomb if they chose to do so. That is not a timeline we can accept.

That is why I am calling on the Biden administration and our international partners to exert more pressure on Iran to counter its nuclear pro-

gram, its missile program, and its dangerous behavior around the Middle East, including attacks on American personnel and assets.

Now, before I continue, let me set the record straight. While some have tried to paint me as belligerent to diplomacy or worse, I have always believed that multilateral, diplomatic negotiations from a position of strength are the best ways to address Iran’s nuclear program, and I have always advocated for a comprehensive diplomatic agreement that is long-lasting, fully verifiable, and with an enforceable snapback system of sanctions should Iran breach any terms.

It was for very specific reasons that I opposed the JCPOA back in 2015 as well as an underlying concern that I just could not shake, a sense that the deal itself at the time was the best case scenario, hinging on good-faith actors and overly optimistic outcomes without enough consideration for the worst case scenarios that might arise from the behavior of bad actors. Today, many of the concerns I expressed about the JCPOA back in August of 2015 are coming back to haunt us in the year 2022.

First and foremost, my overarching concern with the JCPOA was that it did not require the complete dismantlement of Iran’s nuclear infrastructure. Instead, it mothballed that infrastructure for 10 years, making it all too easy for Iran to resume its illicit nuclear program at a moment of its choosing.

The deal did not require Iran to destroy or fully decommission a single uranium enrichment centrifuge. In fact, over half of Iran’s operating centrifuges at the time were able to continue spinning at its Natanz facility. The remainder—more than 5,000 operational centrifuges and nearly 10,000 not yet operational—were to be merely disconnected. Instead of being completely removed, they were transferred to another hall at Natanz, where they could be quickly reinstalled to enrich uranium, which is exactly what we have seen happen over the past year, nor did the deal shut down or destroy the Fordow nuclear facility, which Iran constructed underneath a mountain to house its covert uranium enrichment infrastructure. Under the JCPOA, it was merely refurbished.

Now Iran is back in business at Fordow, spinning its most advanced centrifuges and enriching uranium to a higher level of purity than before it entered into the JCPOA.

In the 2 years since President Trump left the JCPOA, Iran has resumed its research and development into a range of centrifuges, making rapid improvements to their effectiveness—huge strides that we will never be able to roll back.

Today, Iran has more fissile material—2,500 kilograms—more advanced centrifuges, and a shorter breakout time—3 to 4 weeks—than it had in 2015. This is exactly why I was so concerned

over the JCPOA's framework of leaving the vast majority of Iran's nuclear program intact. This is how Iran was able to rapidly rebuild and advance its enrichment capabilities once the agreement fell apart. That was a serious mistake.

Back in 2015, I also expressed my grave concern that Iran only agreed to provisionally—provisionally—apply the Additional Protocol of the Nuclear Non-Proliferation Treaty. The Additional Protocol is what allows the International Atomic Energy Agency to go beyond merely verifying that all declared nuclear material and facilities are being used for peaceful purposes and provides it with a verification mechanism to ensure states do not have undeclared nuclear materials and facilities.

The Additional Protocol was particularly important because Iran has never fully come clean about its previous clandestine nuclear activities. For well over two decades, mounting concerns over Iran's secret weaponization efforts united the world. The goal that we have long sought, along with the international community, is to find out exactly what Iran accomplished in its clandestine program, not necessarily to get Iran to declare culpability but to determine how far they advanced their weaponization program so that we would know what signatures to look for in the future.

David Albright, a physicist and former nuclear weapons inspector and founder of the Institute for Science and International Security said:

Addressing the IAEA's concerns . . . about the military dimensions of Iran's nuclear program is fundamental to . . . [any] long-term agreement. [An agreement] that sidesteps the military . . . issues would risk being unverified.

The reason that he said that an agreement that sidesteps the military issues would be unverifiable is that it makes a difference if you are 90 percent, in terms of enriched material down the road in your weaponization efforts, or only 10 percent advanced; 90 percent or 10 percent makes a big difference. The state of Iran's weaponization efforts significantly impacts the breakout time for the regime to complete an actual deliverable weapon so this verifiability is critical.

In 2015, I explained that the JCPOA did not empower international weapons inspectors to conduct the kind of any-time, anywhere inspections needed to get to the bottom of Iran's previous weaponization program, and in February of last year, 2021, we saw the consequences of not insisting that Iran permanently ratify the Additional Protocol. Iran simply decided they were done with the Additional Protocol and refused to allow the International Atomic Energy Agency to fully investigate locations where it found traces of uranium enrichment.

It is now obvious that the IAEA, or what we call the International Atomic Energy Agency, is significantly limited

in its ability to determine the extent of Iran's previous nuclear program and whether further militarization activities have continued all this time. Without the complete adoption of the Additional Protocol, the JCPOA did not empower the IAEA to achieve this task.

So that was then and this is now, and though I had my concerns with the JCPOA, as I have expressed, I am also absolutely clear-eyed, as everyone else in this Chamber should be, that the way in which President Trump unilaterally withdrew from the deal—with no diplomatic plan for constraining Iran's nuclear ambitions, without the support of any of our allies, without any kind of serious alternative—emboldened Iran to pursue its nuclear ambitions like never before.

Now, we can't live in a counterfactual world where all parties remain in full compliance, but we do know that, even for the first couple of years of the JCPOA, Iran's leaders gave absolutely no—no—indication that they were willing to look beyond the scope of these limited terms and fought vigorously to keep their highly advanced nuclear infrastructure in place, and that was under a more “moderate” regime. They continued their destabilizing activities and support for terrorism in the greater Middle East with abandon.

So today I ask: Why would we try to simply go back to the JCPOA—a deal that was not sufficient in the first place and still doesn't address some of the most serious national security concerns that we have?

Let me lay out specific concerns about the parameters of the JCPOA, which, it appears, the Biden administration is seeking to reestablish.

For decades now, Iran has pursued all three elements necessary to create and to deliver a nuclear weapon: producing nuclear material for a weapon, the fissile material—that is basically what we just talked about being 3 to 4 weeks away; the scientific research and development to build a nuclear warhead—that is why we don't know the full dimensions of what they were doing in terms of how advanced they got to the weaponization, the ability to have the nuclear warhead that makes the bomb go boom; and then the ballistic missile to deliver them—that, they already have.

So if you think about it, they have the missiles capable—I will talk about that a little bit more in a few minutes—they have the missiles capable of delivering. They have the fissile material—are on the verge of having the fissile material necessary to create the ability for an explosion. These are checked off. The only question is the warhead. At what point are they there? And we don't fully know.

Since the Trump administration exited the deal, Iran has installed more than 1,000 advanced centrifuges, enabling it to enrich uranium more quickly. While the deal the United States and our partners are pursuing in Vienna would ostensibly seek to reverse

technological advancements, the acquisition of knowledge—that is never reversible.

As Kelsey Davenport of the Arms Control Association has said, “Iran's nuclear program hit new milestones over the past years.” To quote it, it says: “As it masters the new capabilities, it will change our understanding about how the country”—in this case, Iran—“may pursue nuclear weapons down the road.” That is exactly why the starting position of the United States and our partners during our original negotiations was the complete dismantlement of Iran's enrichment facilities and capacity.

According to the International Atomic Energy Agency, Iran has produced uranium enriched to more than 60 percent purity—more than 60 percent purity—at the Natanz facility. Why is 60 percent purity so alarming? Well, as the Director General of the International Atomic Energy Association—the U.N. international watchdog on these issues—Rafael Grossi has stated, Iran's decision to enrich uranium to 60 percent to produce uranium metal has no—no—justification for civilian purposes—no justification for civilian purposes.

Iran says: Well, we only want nuclear energy for domestic energy consumption. But, as the IAEA's head says, it has no justification to enrich uranium to 60 percent for civilian purposes. In other words, Iran has already done most of the heavy lifting.

Furthermore, the IAEA reports that Iran's nuclear stockpile has grown to nearly 2,500 kilograms. That is nearly 2½ tons of enriched uranium and eight times—eight times—the cap that was agreed to in the JCPOA. More and more advanced centrifuges, a much larger nuclear stockpile, and vastly higher levels of enrichment are a dangerous combination.

As I noted before, Iran's breakout time is now a mere 3 to 4 weeks, but according to a report from David Albright and others at the Institute for Science and International Security, Iran could enrich uranium for a second weapon in less than 4 months. Once they hit this breakout period, which is 4 weeks away, then to get their second bomb, we are talking about 4 months.

So while the United States has recognized Iran's right to civilian nuclear power, Iran's behavior continues to indicate that it is actively moving toward developing nuclear weapons capabilities. Adding to the alarm is the fact that we don't even have the full picture of exactly how far it has gone. Again, that is why full access was and is such a critical component of any deal.

As the original deal was being negotiated, we started from a place of anywhere, anytime inspections that we wanted—anywhere, anytime—but that is not where the deal landed.

While I recognize that other factors have contributed to Iran's efforts to block inspectors, simply put, I was not satisfied in 2015 with the level of visibility the agreement afforded.

Today, indeed, the IAEA readily states it does not have the necessary level of access. In fact, in September of 2021, the IAEA Director, Rafael Grossi, warned that “Iran’s failure to fully cooperate and communicate with the IAEA ‘is seriously compromising’ the IAEA’s ability to have full insight into Iran’s program.” IAEA inspectors were denied access three times to the Karaj centrifuge component production facility in their efforts to install new surveillance cameras to monitor Iranian activities.

In addition, Iran is not cooperating with the IAEA’s ongoing 2-year-old investigation into the presence of nuclear materials found at four locations outside of Iran’s declared nuclear program sites. Iran has a lot of access to two of those locations but has denied and delayed access to the other two.

The IAEA has further warned Iran multiple times that their “lack of substantive engagement” in resolving these issues “seriously affects the agency’s ability to provide assurance”—assurance—“of the exclusively peaceful nature of Iran’s nuclear program.”

But Iran’s obstruction has gone far beyond reneging on the inspection protocols agreed to in the JCPOA. As I mentioned previously, in February of last year, Iran suspended implementation of the Additional Protocol. Following that suspension, the IAEA managed an arrangement where Tehran agreed to certain surveillance activities. But even though there was an agreement, it refused to transmit any data from that surveillance until it got all the sanctions relief the regime felt entitled to under the JCPOA—never mind their own repeated failures to meet their obligations under the JCPOA.

We are not dealing with a good-faith actor here. Iran’s consistent obfuscation, continued stalling, and outlandish demands have left us flying blind, especially when it comes to verifying that Iran is not engaged in activities related to the weaponization process, activities related to the design and development of a nuclear explosive device, activities which were explicitly banned in section T of the JCPOA. I am talking about utilizing computer models to simulate nuclear explosions, developing the diagnostic equipment for nuclear testing, and researching conventional explosives for triggering a nuclear explosion.

The JCPOA banned these activities because substantial evidence indicated that Iran had, in fact, pursued them in the past. Yet we cannot verify whether Iran is pursuing them again. We cannot know for sure because the Iranian Government has repeatedly stated the IAEA lacks the authority to inspect the very military sites where these activities took place—the activities where the IAEA has wanted to go to but has been denied.

With Iran’s breakout time now less than a month, we must be able to

verify the scope of Iran’s weaponization research, and this must include Iran’s ballistic missile program. We already know that Iran has ballistic missiles that could carry a warhead to the Middle East and parts of Europe. Indeed, given how far Iran’s enrichment capabilities and research and development have advanced, the only element left is preventing Iran from weaponizing its stockpile.

All of this contributes to why we have a well-founded, deep mistrust of Iran’s willingness to seriously curtail its nuclear program. And, of course, Iran keeps reminding the United States and our Arab Gulf partners that its missile program presents its own unique threats outside of the nuclear file.

I remain highly skeptical it will suspend any of its other threatening and destabilizing activities, from ballistic missile development to support for terrorist proxies. Even as the United States, our P5+1 partners, and Iran convened in Vienna for indirect negotiations about returning to the JCPOA, Iran’s leaders took it upon themselves to antagonize all parties and show, my view, their true intentions.

In December, they launched a rocket with a satellite carrier into space to remind us all that even as they dragged out diplomatic negotiations, their ambitions remain acquiring the ability to eventually deliver a nuclear warhead. This launch was yet another provocation like those we have seen over the past several years, some of which directly—directly—violate the terms of U.N. Security Council resolution 2231. That resolution codified the JCPOA, our agreement with Iran, and plenty of others that are far outside of the limited scope of the deal.

Beyond this failed launch into space, Iran’s dangerous behavior has hit closer to home. In recent years, Iran has increased direct threats to U.S. personnel and assets and continued providing weapons to terrorist proxies throughout the Middle East.

The U.S. intelligence community last year assessed that “Iran and its militant allies continue to plot terrorist attacks against U.S. persons and interests. . . . Iran has the largest ballistic missile force in the region . . . [and] is increasingly active in using cyberspace to enable influence operations.”

The Center for Strategic and International Studies reports that Iran not only has the largest and most diverse ballistic missile program in the region, but it has also used those ballistic missiles to attack U.S. personnel stationed in Iraq—personnel who, let’s be clear, have been there at the invitation of the Iraqi Government. While our last President made light of what he called headaches, the fact is, nearly a dozen servicemembers suffered from traumatic brain injuries during the attack on Al Asad Air Base in 2020.

Already this year, there have been 3 rocket and drone attacks, with public reports of 14 rockets hitting an Iraqi

air base hosting U.S. forces and wounding 2 American servicemembers.

Allow me to share an article in the New Yorker by Robin Wright entitled “The Looming Threat of a Nuclear Crisis with Iran.” She writes of a conversation with CENTCOM commander Gen. Kenneth McKenzie in which he said the following:

The lesson of Al Asad . . . is that Iran’s missiles have become a more immediate threat than its nuclear program. For decades, Iran’s rockets and missiles were wildly inaccurate. At Al Asad, “they hit pretty much where they wanted to hit”. . . . Now they “can strike effectively across the breadth and depth of the Middle East. They could strike with accuracy, and they could strike with volume.”

The article continues:

The regime has concentrated on developing missiles with longer reach, precision accuracy, and greater destructive power. Iran is . . . one of the world’s top missile producers. Its arsenal is the largest and most diverse in the Middle East, the Defense Intelligence Agency [has] reported.

Now, as President Biden’s Special Envoy on the question of negotiations on a potential return to the JCPOA, Robert Malley, has said, “Iran has proven that using its ballistic-missile program as a means to coerce or intimidate its neighbors” is a real challenge.

Now, Iran can fire more missiles than its adversaries—more missiles than its adversaries, including the United States and Israel—can shoot down or destroy.

Tehran has achieved what General McKenzie calls overmatch, a level of capability in which a country has weaponry that makes it extremely difficult to check or defeat.

“Iran’s strategic capacity is now enormous,” McKenzie said. “They’ve got overmatch in the theatre—the ability to overwhelm.”

Iran now has the largest known underground complexes in the Middle East housing nuclear and missile programs. Most of the tunnels are in the west, facing Israel, or on the southern coast, across from Saudi Arabia and other Gulf sheikhdoms.

This fall, satellite imagery tracked new underground construction near Bakhtaran, the most extensive complex. The tunnels, carved out of rock, descend more than 1,600 feet underground. Some complexes reportedly stretch for miles. Iran calls them “missile cities.”

A recording of deceased General Suleimani echoes in the background: “You start this war, but we create the end of it.”

An underground railroad ferries Emad missiles for rapid successive launches. Emads have a range of a thousand miles and can carry a conventional or a nuclear warhead.

The Islamic Republic has thousands of ballistic missiles, according to U.S. intelligence assessments. They can reach—we see on this map that there are different missiles. But how far they can reach? Its farthest: 2,000 kilometers. They can reach as far as 1,300

miles in any direction—deep into India and China to the east; high into Russia in the north; to Greece and other parts of Europe to the west; and as far south as Ethiopia, in the Horn of Africa, and dozens of countries in between. About a hundred missiles could reach Israel.

The Biden administration has hoped to use progress on the nuclear deal to eventually broaden diplomacy and include Iran's neighbors in talks on reducing regional tensions.

Ms. Wright then again quotes Special Envoy on Iran Rob Malley as saying:

Even if we can revive the JCPOA, those problems are going to continue to poison the region and risk destabilizing it. If they continue, the response will be robust.

Well, it may be too late. Tehran has shown no willingness to barter over its missiles as it has with its nuclear program.

She also quotes Jeffrey Lewis, an expert on missile proliferation at the Middlebury Institute of International Studies at Monterey, who said:

Once you have spent the money to build the facilities and train people and deliver missiles to the military units that were built around these missiles, you have an enormous constituency that wants to keep them. I don't think there's any hope of limiting Iran's missile program.

And President Raisi, of Iran, told reporters after his election: "Regional issues or the missile issue are non-negotiable."

Nonnegotiable. Now, the U.S. military is still vastly more powerful than anything built or imagined in Iran. Yet Iran has proven to be an increasingly shrewd rival. It has trained a generation of foreign engineers and scientists to assemble weaponry. It has dispatched stateless dhows loaded with missile parts for Houthi rebels, who have fired missiles at military and civilian targets in Saudi Arabia. It has provided the older "dumb" rocket technology to Hamas and Islamic Jihad.

The majority of the "precision project" kits crossing at Abu Kamal go to Lebanon, where Hezbollah upgrades its short-range rockets and missiles to hit more accurately and to penetrate more deeply inside Israel. Hezbollah is now estimated to have at least 14,000 missiles and more than 100,000 rockets, mostly courtesy of Iran.

As McKenzie says, "they have the ability to strike very precisely into Israel in a way they've not enjoyed in the past."

I shared this article on the floor today because I believe it captures the gravity of our present reality, and I encourage all of our colleagues to read it.

Beyond what Ms. Wright has laid out above with excellent sources and details, let's also not forget that Iran continues to be a steady fighting partner for the murderous Bashar al-Assad regime in Syria, all the while expanding its military footprint along our ally Israel's northern border.

And, let's not forget, all of this beligerent behavior has escalated despite the ballistic restrictions under U.N. Security Council resolution 2231.

Madam President, resolution 2231 of the United Nations was the framework that endorsed the JCPOA and imposed other restrictions. So just think of where Iran will go when these restrictions expire next year. They expire, under existing law, next year.

Beyond this alarming aggression throughout the region, within its borders Iran continues to remind the world it has no respect for human rights. It is a country where dissidents and activists who want a better future are persecuted and killed. Indeed, just last January, Baktash Abtin, a prominent Iranian poet and human rights activist who was jailed for "propaganda against the state," died in the notorious Evin prison from COVID-19.

Iran's judicial system is a sham that denies basic human rights like freedom of expression and condones torture and extrajudicial killings. Last year—get this—the U.S. Justice Department indicted four Iranians for conspiring to kidnap and kill an Iranian-American journalist, Masih Alinejad, surveilling her daily activities in Brooklyn, NY, here on American soil.

And we cannot forget the four American citizens who Iran continues to wrongfully detain—Babak and Siamak Namazi, Emad Shargi, and Morad Tabhaz—who are suffering in prison and whose family members are desperately seeking their return.

It is against this backdrop of bad behavior that Iran is ostensibly negotiating a return to the JCPOA—or maybe just dragging out the time. It took years of crushing U.S. and international sanctions to bring Iran to the negotiating table in the first place. I know because I was the author of many of them. And we had to remain united in order to bring them to the table, and now we have to remain united as well.

Now, I have been cautiously optimistic about the Biden administration's initial efforts. I waited for the last year to see results.

Before the Foreign Relations Committee, the Secretary of State and others—senior members of the administration—insisted that they would look for a "longer and stronger" agreement. I have a pretty good sense of what I think "longer and stronger" means. Longer is obvious: more time. Stronger: dealing with elements that had not been previously dealt with.

However, a year later, I have yet to hear any parameters of longer or stronger terms or whether that is even a feasible prospect. And even when it seemed that a constructive agreement might be possible last summer, upon taking office, the Raisi government abandoned all previous understandings and, as I mentioned, made absolutely clear that Iran's ballistic missiles and regional proxy networks are "not negotiable"—his words: "not negotiable."

Moreover, at this point, we seriously have to ask: What exactly are we trying to salvage? What are we trying to salvage?

Iran has moved so far out of compliance with so many of the terms of the

JCPOA and of the terms of the U.N. Security Council resolution 2231. Meanwhile, the arms embargo that we had has already expired, and restrictions on Iran's missile program are about to expire next year.

To quote again Rob Malley, the President's Iran negotiator, trying to revive the deal at this point would be "tantamount to trying to revive a dead corpse."

I think he is right. It is time to start thinking out of the box and consider new strategies for rolling back Iran's nuclear program and addressing its dangerous and nefarious activities. These new efforts should include creative diplomatic initiatives, stricter sanctions enforcement, and a steely determination from Congress to back up President Biden's declaration that Iran will "never get a nuclear weapon on my watch"—his words.

One critical first step is vigorously enforcing the sanctions we have in place.

A few weeks ago, the Washington Post reported on the Iranian Revolutionary Guard Corps' extensive oil smuggling operations throughout the Persian Gulf: "Smuggled Iranian fuel and secret nighttime transfers: Seafarers recount how it's done."

Now, I was pleased to see the Department of the Treasury dispatch a senior official to the United Arab Emirates, which has been part of this, to help stop it. More significantly and despite what it says publicly, numerous reports also suggest that China continues to buy Iranian crude oil at a discount—a lucrative lifeline for the Iranian regime that both subverts international oil markets and gives China yet another inroad into the Middle East.

Using a sophisticated web of shipping, delivery, and tanker flagging techniques, private energy analysts—here is where we see their abilities, in this space right in here, to make these transfers that ultimately go to China, through tanker flagging techniques—private energy analysts estimate that China bought an average of 350,000 to 650,000 barrels per day—per day—last year.

And according to United Against Nuclear Iran, this amounted—that reality of how many barrels they are buying per day amounted—to about \$10 billion going to the Iranian regime, in violation of existing sanctions.

We can't turn a blind eye to these violations. The Biden administration must rigorously enforce our sanctions, including targeting Chinese entities in a way that will impose a serious cost. We must use our sanctions to crush the illicit, underground economy of Iranian oil shipments throughout the world.

The international community must also leverage a full range of tools. We have to urge our P5+1 partners to call for snapback sanctions on Iran under the parameters of the JCPOA, and we should be urging the EU to reimpose its pre-JCPOA sanctions on Iran.

Now, of course, we have to be realistic here. Former President Trump's disastrous withdrawal from the JCPOA hampered our ability on the sanctions front. Indeed, when former Secretary of State Mike Pompeo went to the U.N. in the summer of 2020 and attempted to invoke the snapback mechanism, our European partners and the rest of the P5+1 roundly rejected him and pointed out that the United States, from their view, did not even have the standing to do so having exited the deal.

That was then. That said, I believe the Biden administration has diligently worked to build back trust and cooperation with our partners, and I believe the remaining partners must look at the facts and officially invoke the snapback mechanism to send a strong signal to the Iranians.

We must also be thinking beyond the JCPOA. It is worth noting that even though President Trump's withdrawal, from my view, was a strategic, serious error, nothing technically constrained his ability to do so. Iran's leaders insist they want a guarantee that the United States will not withdraw from any future agreement.

As these negotiations continue, the best guarantee of a sustainable diplomatic agreement with Iran and the international community is to build one that garners bipartisan political support. One such idea that I have been working on with Senator GRAHAM is a regional nuclear fuel bank that would provide Iran with access to fuel on the condition that it forgoes all domestic uranium enrichment and reprocessing.

Now, that idea may sound lofty, but it is worth noting that the IAEA already runs a nuclear fuel bank that provides access to members in the case of a disruption to their existing fuel arrangements.

Iranian leaders have long maintained their nuclear program is for domestic energy development, and yet it belies logic that Iran would need to highly enrich uranium or undertake any number of the steps they had been taking over the past few years for a purely peaceful nuclear energy program, to say nothing of the fact that Iran was the fifth largest crude oil producer in OPEC in 2020 and the third largest natural gas producer in the world in 2019. So it has an abundance of natural resources for energy purposes within its own country.

It doesn't need nuclear fuel for domestic energy consumption. But if you accept that—well, we want to keep our oil and gas to sell, and we want nuclear power for the purposes of domestic energy consumption, fine, then why do you bury your program thousands of feet under a mountain? Why do you hide what you are doing? Why are you enriching to a grade that even the IAEA says has no civilian purpose whatsoever? Why won't you show us that, in fact, your previous actions that we believe may lead to weaponization exist? Why won't you show us, dispel it?

The kind of arrangement we are talking about would truly satisfy the need for a peaceful nuclear program. Now, while we understand that there are both political and logistical challenges regarding this proposal in the past, we don't believe we should close any potential doors. We believe, actually, that our proposal opens new doors because while we are just now talking about Iran—and we have been having this conversation with our P5+1 allies and Iran in a bilateral arrangement because of our concerns about Iran's nuclear program—we could be talking about the entire region.

We have successfully negotiated nuclear cooperation agreements with a number of countries in the region on a bilateral basis, including Jordan and the United Arab Emirates. In the future, such a fuel bank—a regional fuel bank—could even be expanded to guarantee that any Iranian Gulf state—or further beyond in the Middle East for that matter—can peacefully fuel its commercial nuclear reactors through the IAEA fuel bank. That means you don't enrich, but you get the fuel necessary if you want domestic energy consumption.

Of course, regional investment into any diplomatic solution—from Gulf countries and Arab neighbors and Israel—is absolutely critical for success. Just as we know our sanctions are most effective when we work with our international partners, multilateral cooperation is critical to finding a successful outcome.

But, particularly, what would be attractive to the Iranian regime? Well, what is attractive—or should be attractive—to the Iranian regime is this arrangement would decouple the view that the West is only seeking this arrangement from Iran.

Iran would not have to give up its right to enrich, but would, without a loss of national pride, delegate that right to a multilateral nuclear fuel bank. And by including other Gulf countries in such a reasonable natural fuel bank with the same terms and conditions, Iran would not have to worry about other Gulf countries attaining nuclear weapons and posing a security threat to them.

And finally, if we can succeed at a regional nuclear fuel bank, would we stop a nuclear arms race in what is already a tinderbox of the world? Because if Iran can acquire a nuclear weapon, you can be sure that the countries in the Gulf—Saudi Arabia, Emirates, and others—they are going to say, under the theory of mutual self-destruction, We have to have nuclear weapons too. And now, we begin an arms race in a part of the world that can ill-afford it.

As we look to a new approach, I also believe that we should revisit a number of proposals I laid out in 2015. First, we should seek the immediate ratification by Iran of the Additional Protocol to ensure that we have a permanent international agreement with Iran for access to suspect sites.

Second, we need a ban on centrifuge R&D—research and development—for the duration of such an agreement because it is that advanced R&D that allowed Iran to be 4 weeks away from crossing the nuclear threshold so that Iran could not have the capacity to quickly break out, just as the U.N. Security Council Resolution and sanctions and snapback is off the table.

Third, Iran should close the Fordow enrichment facility. After all, the sole purpose of Fordow was to harden Iran's nuclear program to a military attack. But if Iran has nothing to hide and it is all for peaceful purposes, why do you put it deep underneath a mountain?

Fourth, the world needs full resolution of the possible military dimensions of Iran's program. We need an arrangement that isn't set up to whitewash this issue. The world needs to be able to go to sleep at night saying Iran has not achieved the ability to weaponize its desires. Iran and the IAEA must resolve the issue before permanent sanctions relief takes place. Should Iran fail to cooperate with a comprehensive review into the military dimensions of their program, then automatic sanctions must snap back.

Fifth, rather than extend the duration of the agreement, we need a permanent agreement. One of the single most concerning elements of the original deal is its 10- to 15-year sunset of restrictions on Iran's programs, with off-ramps starting after year 8.

Well, think about it: 2015–2022—7 years—this shows you how quickly that, in fact, Iran can be proceeding in a way that we would not want it to be able to proceed.

And sixth, we need an agreement about what penalties will be collectively imposed by the P5+1 for Iranian violations, both small and mid-sized, as well as a clear statement as to the so-called grandfather clause which exists in paragraph 37 of the JCPOA, to ensure that the U.S. position about not shielding contracts entered into legally upon reimposition of sanctions is shared by our allies. Everybody should be in the same boat. We are seeing that. And without these elements clearly delineated, there is room for interpretation admission.

I believe there is space for a deal with Iran. And I believe that one that garners bipartisan support would be the best guarantor of the political longevity the Iranians insist they want.

Our goal must be the right deal, not just any deal. We must not agree to an arrangement that merely delays the inevitable.

As we think about broader diplomatic options, we must be clear about what a good negotiation entails: Getting more, obviously, requires giving more. If Iran were willing to make greater concessions on halting uranium enrichment, destroying nuclear infrastructure, and seriously constraining its ballistic missile program, the United States and the international community should consider lifting a

broader scope of sanctions, potentially including some primary sanctions.

While Iran's leaders are scraping by in the resistance economy, the truth is that the whole country would be better off if the regime abandoned their enrichment and weaponization efforts and focused on providing everyday Iranians with real economic opportunity.

At the same time, Iran must also fully understand that the United States will not hesitate to take any action necessary to protect our interests and those of our allies, and that includes the use of military force where appropriate and necessary. One of our greatest strengths is our enduring security partnerships with nearly every country in the Middle East region.

Last month, a group of senior bipartisan diplomats, military officers, and former Members of Congress on both sides of the aisle issued a statement to the Washington Institute for Near East Policy about the importance of a credible military threat should Iran breach certain red lines. Let me quote from their statement. They said:

Indeed, the Vienna negotiations are in danger of becoming a cover for Iran to move toward achieving a threshold nuclear weapons capability. . . . While the United States has recognized Iran's right to civilian nuclear power, Iran's behavior continues to indicate that it not only wants to preserve a nuclear weapons option but is actively moving toward developing that capability. Indeed, as the director-general of the International Atomic Energy Association, Rafael Grossi, has stated, Iran's decision to enrich uranium to 60 percent and to produce uranium metal has no justifiable civilian purpose. . . . Without convincing Iran it will suffer severe consequences if it stays on its current path, there is little reason to hope for the success of diplomacy.

This is all from their statement.

Therefore, for the sake of our diplomatic effort to resolve this crisis, we believe it is vital to restore Iran's fear that its current nuclear path will trigger the use of force against it by the United States. The challenge is how to restore U.S. credibility in the eyes of Iran's leaders. Words—including formulations that are more pointed and direct than "all options are on the table"—are also necessary but not sufficient.

In that context, we believe it is important for the Biden administration to take steps that lead Iran to believe that persisting in its current behavior and rejecting a reasonable diplomatic resolution will put to risk its entire nuclear infrastructure, one built painstakingly over the last three decades.

Such steps may include orchestrating high-profile military exercises by the U.S. Central Command, potentially in concert with allies and partners, that simulate what would be involved in such a significant operation, including rehearsing air-to-ground attacks on hardened targets and the suppression of Iranian missile batteries.

Also important would be to provide both local allies and partners as well as U.S. installations and assets in the region with enhanced defensive capabilities to counter whatever retaliatory actions Iran might choose to make, thereby signaling our readiness to act, if necessary.

Perhaps most significantly, fulfilling past U.S. promises to act forcefully against other Iranian outrages, such as the drone attack by Iran-backed militias against the U.S. base

at al-Tanf in Syria and Iran's illegal capture of merchant ships and killing unarmed seamen, might have the salutary impact of underscoring the seriousness of U.S. commitments to act on the nuclear issue.

Again, I encourage everyone to read this statement from colleagues, congressional colleagues, military leaders, and diplomats on both sides of the aisle.

Last year, following years of quiet cooperation and the narrowing of shared security concerns, the United States and our partners and allies welcomed Israel into the U.S. Central Command area of responsibility. We have a number of shared interests—from maritime security to confronting a growing threat of ballistic missiles and UAVs—and we must continue to strengthen our bilateral and regional partnerships to ensure that we have all the means necessary to protect our interests.

Moreover, we must forcefully and proportionately respond to Iran's ongoing attacks on our diplomatic and military facilities in Iraq and Syria. We will not fail to respond against direct attacks on the United States that threaten our diplomat and service-members. Full stop.

Let me close by saying that the Iranian nuclear threat is real, and it has grown disproportionately worse by day. It is becoming a clear and present danger. The time is now to reinvigorate our multilateral sanctions efforts and pursue new avenues, new ideas, new solutions for a diplomatic resolution.

But today, I call on the Biden administration and international community to vigorously and rigorously enforce sanctions, which have proven to be among the most potent tools for impacting Iran's leaders and the IRGC. We cannot allow Iran to threaten us into a bad deal or an interim agreement that allows it to continue to build its nuclear capacity, nor should we cling to the scope of an agreement that it seems some are holding on for nostalgia's sake.

As I said 7 years ago, hope is not a national security strategy. In the words that I spoke in 2015, I said:

Whether or not the supporters of the agreement admit it, this deal is based on "hope"; hope that—when the nuclear sunset clause expires—Iran will have succumbed to the benefits of commerce and global integration . . .

Well, I hate to say, they have not.

. . . hope that the hardliners will have lost their power and the revolution will end its hegemonic goals . . .

They have not.

. . . and hope that the regime will allow the Iranian people to decide their own fate.

The hardliners are more entrenched, and they have not allowed the Iranian people to decide that future.

Hope is part of human nature, but unfortunately it is not a national security strategy. The Iranian regime, led by the Ayatollah, wants above all to preserve the regime and its Revolution—

Unlike the Green Revolution of 2009. This is still true.

So it stretches incredulity to believe they signed on to a deal that would in any way weaken the regime or threaten the goals of the Revolution.

They will not.

I understand that this deal represents a trade-off, a hope that things [might] be different in Iran in 10–15 years.

Maybe Iran will desist from its nuclear ambitions.

But it has not.

Maybe they'll stop exporting and supporting terrorism.

But it has not.

Maybe they'll stop holding innocent Americans hostage.

But they have not.

Maybe they'll stop burning American flags.

But it has not.

Maybe their leadership will stop chanting "Death to America" in the streets of Tehran.

But it has not. Or the hope was maybe that they won't do those things. Well, they have continued to do all of those things.

While there are so many crises brewing across the world, we cannot abandon our efforts to prevent a nuclear-armed Iran and the arms race it will surely set off in the Middle East. We cannot ignore Iran's nefarious support for terrorism or accept threats to American interests and lives. We must welcome legitimate and verifiably peaceful uses of nuclear power but remain true to our nonproliferation principles and our unyielding desire to build a more stable, safer, prosperous world for the American people and for all peace-loving people to thrive. In order to do so, Iran cannot and must not possess a nuclear weapon.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### UNANIMOUS CONSENT AGREEMENT—S. RES. 502

Mr. MENENDEZ. Madam President, I ask unanimous consent that with respect to S. Res. 502, the preamble be agreed to.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR WEDNESDAY, FEBRUARY 2, 2022

Mr. MENENDEZ. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, February 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Puttagunta nomination