

That is, in fact, why we regularly build waivers into our sanctions statutes. So to suggest that on Iran policy, the President is going to have no ability to impact sanctions or licenses until a treaty is entered into ties the administration's hands—both Republican and Democratic administrations—in a way that I simply don't think is helpful.

I understand my friend's argument.

He is not a supporter of the JCPOA, and he does not desire for the United States to enter back into a nuclear agreement with Iran. And at the heart of this request is the essence of President Trump's Iran policy—the idea that if we just keep hammering Iran with sanctions that either their behavior will get better or they will at some point choose to come to the table and do a comprehensive deal—the nuclear program, their ballistic missile program, their support for terrorism.

Now, I think that was a credible argument back during the Obama administration. Many people said Obama shouldn't give Iran anything until Iran comes to the table on everything.

This Congress went a different way. We ended up taking a vote that, by our rules, allowed for the nuclear agreement to go forward. But we now have the benefit of the opposition's argument to the JCPOA having been tested for 4 years. Trump basically took that philosophy—keep sanctioning Iran; don't worry about the fact that it is unilateral, and eventually Iran will come to the table on everything. He tested that for 4 years, and it was an unmitigated disaster—an unmitigated disaster. Not only did Iran not come to the table on everything, they came to the table on nothing. Their behavior in the region got much worse and much more adversarial to U.S. interests.

Just look at the reality on the ground in a place like Lebanon or Yemen or Iraq or Syria. At the end of Trump's term, did Iran have more or less influence in those places? Unquestionably more. More integrated with the Houthis—by the end of Trump's term, they were in charge of the Lebanese government. There was less separation between the Iraqi power structure and Tehran.

At the end of that 4-year period of time, testing maximum pressure, Iran was more deeply involved with its proxies than ever before. They were not negotiating with the United States on any of the conditions that the Trump administration laid down for us, and they were shooting at us.

There was not a single attack on U.S. servicemembers by Iranian proxies while the United States was in the JCPOA. Let me say it again: Not a single attack on U.S. servicemembers by Iranian proxies when the United States was in the JCPOA. They occur with regularity today. Attacks against U.S. forces in housing and on bases in Iraq and Syria restarted once we withdrew from the deal. In this year alone, there have been attacks in February, March, April, May, June, July, and August.

And so, I am not sure why we have to do a lot of guessing now as to whether we are better off with or without a nuclear agreement with Iran, because here's what we got for maximum pressure: American troops under fire, more support for proxies, no hopes of negotiation, and—the icing on the cake—an Iranian nuclear program that is now weeks away from having enough fissile material to produce a nuclear weapon. Compare that with a year away during the time of the agreement.

So we tested this theory that we just hit them with sanctions, hit them with sanctions, and, eventually, they capitulate. It didn't work by, I think, all objective measures. It didn't work. And so it makes sense that the Biden administration wants to engage and try to put back together a deal that was good for the United States and our allies.

And, lastly, I will say this. The Senator from Oklahoma is right. The Iranians are bad people. You can just see what they are doing right now in the streets of Tehran in brutally repressing another wave of protests. Listen to what the President said on TV just this week—denying the Holocaust. These are our adversaries. This is an enemy. But all throughout American history, we have understood there are times when it makes sense to sit down across the table with your enemy and adversary and engage in diplomatic conversation that is good for you and good for the world. It is true that if Iran was further away from a nuclear weapon, it would be good for us and it would be good for other countries in the world, including Russia, which is why Russia is sometimes part of these negotiations. But I don't know that because something is good for everybody, it shouldn't be acceptable to the U.S. Congress.

And so I am going to object to this request because I believe that the JCPOA is the right thing for the security of this Nation; because I believe in diplomacy even with your adversaries; because I think we have tested the proposition that maximum pressure will work better than a nuclear agreement, and we now know the results; and I also believe that some of the details of this resolution would ultimately bind the hands of American Presidents in a way that, you know, probably isn't good precedent for the long-term security of the Nation.

So, again, I think my colleague comes to the floor with good faith objections and longstanding objections. I come down in a different place, and for that reason, I would object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I appreciate my colleague. We have a lot of agreement in areas in Lebanon and other areas in the region that we work diligently together to be able to resolve—very, very difficult areas in this region.

But I do want to say: Facts are stubborn things. When my colleague makes a statement that we can see what happens during the time of the JCPOA and we can see what happens during the time of sanctions, I am welcome to be able to look at those facts. During the time of the JCPOA, as I mentioned before, from 2015 to 2017, munitions fired against American troops in Iraq increased 341 percent. Many of those munitions were Iranian-provided. So to be able to say that there were no attacks on Americans during the JCPOA is just factually not correct.

I can take you to a multitude of members of the U.S. military that will speak specifically of munitions that were fired on them and all kinds of improvised explosive devices created by the Iranian Revolutionary Guard Corps and shipped into Iraq to be able to attack them specifically during that time period. So it is not factually correct there were no attacks on Americans during the time of the JCPOA. In fact, all the folks that look at these issues saw that terrorism increased 183 percent during that time period.

During the time of the sanctions, Iran suffered real consequences in their economy, including a dramatic drop in their own defense spending by 28 percent during that time period. I received a personal outreach from an individual who is a leader in Lebanon, who my colleague and I both know well, who reached out to me personally and said whatever the United States is doing right now to cut off funding to Iran, keep doing it because it is also cutting off funding to Hezbollah and to Lebanon. They are not getting their paychecks right now, and that is helping the stability of our government.

So there was a real effect during that time period. We can discuss strategic aspects of which one is more effective, the agreement or the heavier sanctions, but we can't just ignore it and say there was no benefit during that time period in the last several years on the pressure that was put on Iran during this time period.

The fact still remains, the people of Iran are asking the question. They are on the streets chanting for freedom. What is the Senate going to do to stand with them? And, currently, it is nothing. I would like for it to be something, to stand with the people of Iran as they speak out against the repressive regime that they are under the thumb of.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island, Mr. WHITEHOUSE.

UNANIMOUS CONSENT AGREEMENT—TREATY DOCUMENT NO. 117-1

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that with respect to the resolution of ratification, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

UNANIMOUS CONSENT AGREEMENT—TREATY
DOCUMENT NO. 117-1

Mr. WHITEHOUSE. Mr. President, I also ask unanimous consent that the Secretary of the Senate be authorized to make grammatical, technical changes to the resolution of ratification with respect to Treaty Document No. 117-1 in order to reflect the addition of material.

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

DISCLOSE ACT

Mr. WHITEHOUSE. Mr. President, I am here today as we close in on the vote on the DISCLOSE Act scheduled for tomorrow to urge my colleagues to vote yes on that measure. I have introduced the DISCLOSE Act in every Congress since Leader SCHUMER first unveiled it in 2010 on the heels of the wretched Citizens United decision.

Every Congress, just about every time I have set foot in Washington, I have sounded the alarm on the ever-growing tsunami of slime that Citizens United unleashed into our elections. I rise once more today to urge this Chamber to end the flood of dark money drowning our democracy.

This is not inevitable. As late as 2006, the amount of dark money sloshing around in our elections was only \$5 million. In 2020, it had crossed the billion-dollar threshold. Big special interests don't spend a billion dollars without expecting return on investment, and that has damaged our democracy.

Voting to clean up that mess presents clear choices: whether or not billionaires and big corporations can purchase influence in secret, whether or not Americans deserve to know who is buying that influence, whether or not corruption has a place in our American democracy.

Twelve years after Citizens United, the evidence is in. Dark money powers up corporations and megadonors to pump billions into phony front groups. Those groups, often with soothing names like People for Puppies and Prosperity, then spew bile and slime into our elections. We often can't know exactly who paid for that bile and slime, but when corporations and the ultrarich keep getting what they want from a dark money-funded Congress, well, you see that over and over and over again; and Americans' suspicions grow. Their gut tells them the corporations and billionaires are behind the phony ads in an effort to rig our political system.

And Americans' instincts are right. Academic studies show that economic elites and business interests command huge influence in government policy while regular people have statistically little or none. Studies also show that politicians elected to Federal office with the support of dark money are more likely to support legislation aligned with big corporate interests. Regardless of what the American people want, the big donor interests win time after time.

Dark money isn't limited to elections either. I have come to the floor now 18

times to expose a decades-long, right-wing scheme to capture the Federal judiciary and its crown jewel, our Supreme Court. This scheme included a \$580 million secretive campaign of dark money and phony front groups to pack the courts with judges selected to green-light donor-friendly policies, running multimillion-dollar ad campaigns to keep the confirmations of those judges and Justices on track.

Now, the result is the Court that dark money built is delivering big for its donor puppeteers. In a matter of days, the FedSoc Six on the Supreme Court overturned *Roe v. Wade*, manufactured new polluter-friendly legal doctrines, and threw out centuries-old gun safety regulations—all things big donors wanted; all things majorities of Americans did not want. What is more, one rightwing donor just dumped \$1.6 billion to supercharge the dark money operation that captured the Court and cement that dark money network's hold over the Federal judiciary. And guess what. We wouldn't know who that donor is if someone hadn't tipped off the press—ProPublica and the New York Times. Think about that. We only know this because we get occasional little glimpses of these megadonors' covert schemes. That means this is only the tip of the iceberg. And where that \$1.6 billion goes on its way out into our political system will be obscured in dark money channels.

No wonder Americans' trust in the government is cratering. Fifty-eight percent of voters say our government needs major reforms or a complete overhaul. Just a quarter of Americans say they have confidence in the Supreme Court. That is down 11 percent just from last year. Americans know something is deeply amiss in our democracy.

Mr. President, I believe to restore trust in government, we need to flush dark money out of government. Year after year, poll after poll, overwhelming majorities of Americans say: money in politics and wealthy political donors are the root of Washington's dysfunction. Election cycle after election cycle, even during COVID, voters listed political corruption among their most important issues. Americans no longer trust that their voices matter here, not as much as the dark money voices of big corporations and billionaires. And it is time to listen to them. It is time to rid our system of the corrupting influence of unlimited dark money.

Even the Citizens United Justices recognized that unlimited political spending without transparency would corrupt. Even the Justices who opened the floodgates of unlimited political spending knew that if it was not transparent, it would corrupt. They just wouldn't do anything about it.

The DISCLOSE Act hinges on a very simple idea: that Americans deserve to know who is spending to influence their vote. If you agree with that sim-

ple idea, vote for the DISCLOSE Act. If you believe that corporations and billionaires shouldn't hide behind phony front groups while spending gobs of money on elections, you should vote for the DISCLOSE Act. If you oppose corruption, you should vote for the DISCLOSE Act. It is time for every Member of this body to go on record about this poison in our system. And with any luck, with 10 Republicans joining us, we can return to a Congress that serves America again, and Americans deserve that.

I yield the floor to my distinguished colleague, Senator MERKLEY.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, when I was in grade school, I had basic civics education. We learned about the fact that the vision of America was based on individuals standing up for their ideas in the public square. They could say: Here is what I think should take us forward, and here are the arguments behind it.

And someone else could say: Not so quick. I don't think that is the right path. We should do something else.

But in the course of this debate, those people gathered in the square could decide which way to go, partly based on whether they admired the thinking and the ideas being presented by the individuals, perhaps also what they knew about the individuals who were making those comments. But this is a basic competition of ideas freely expressed by members of the community and debated openly.

Well, I thought that was a beautiful thing; and it really goes to the notion of freedom of speech and the power that flows up from the people because it is the people gathered and discussing ideas who are making decisions. And in a republic, like our Republic, those decisions also involved whom you vote for because of that set of ideas; and that person is sent to a State legislature or the House of Representatives or the U.S. Senate to fight for those ideas. Isn't that a beautiful concept of complete transparent debate?

You know who else agreed with this idea who is no longer with us? Antonin Scalia. Now, I don't know that I have ever quoted Antonin Scalia before, former Supreme Court Justice who passed away a few years ago. He had this to say about disclosure. He said:

Requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed.

And then he continued:

For my part, I do not look forward to a society which, thanks to the Supreme Court, [on which he sat] campaigns anonymously . . . hidden from public scrutiny and protected from the accountability of criticism. This [he said] does not resemble the Home of the Brave.

So here is a very conservative Justice saying that, without transparency, without public accountability, democracy is doomed.