

that flag, believing they were part of this great Nation, you must believe, as I do, that they deserve a chance to prove it. Many of them are doing it to this day.

So there will be several of my colleagues joining me on the floor a little later this afternoon to talk about DACA.

But this is an important program for over 800,000 individuals who are critically important to America's future, and I hope that we can find a way in our hearts to realize they are not the worst of the worst. In many cases, they are the best of the best. All they are asking for is a chance to be part of America's future.

IRAN

Mr. DURBIN. Mr. President, on a separate topic, over the weekend, we learned that the United States and Iran had reached a preliminary deal to end the current conflict. While I am glad that we might be seeing an end to the hostilities, I am deeply concerned about what might be in that agreement.

What was announced was only an end to the fighting, Iran's stranglehold over the Strait of Hormuz, and the U.S. blockade—moves that return us to the status quo before the President's invasion of Iran, over 100 days ago. In fact, after months of being promised an imminent deal by President Trump, the current loose framework stunningly avoids critical issues related to Iran's nuclear program. Don't you remember that was the reason he gave for invading this country?

And from what was being reported, the terms and the sanctions relief sound very similar to an agreement which was reached by President Obama and the Iranian people, before the election of Donald Trump—the JCPOA.

Let me be clear. Iran and its proxies and its nuclear program are all threats to the United States and its allies. But did we really start a war to return to the same deal President Trump abandoned during his first term as President? Is that it?

Now, I have heard my colleagues lament the Obama-era deal was weak and ineffective, compared to what President Trump has negotiated.

Let's be clear on the key points from that Obama agreement. It severely restricted Iran's enrichment capabilities, notably extending nuclear weapon breakout time. It also included some of the most intrusive inspections ever agreed to—international inspections of Iran during the Obama administration.

In fact, I hosted the IAEA Director General a number of times in my office. I sat across from him and asked him point-blank: Are there any doors locked? Are there any doors blocked that you can't get into to find out what is going on?

He said: No. Every time we identify anything like that, they open the doors.

Inspections, though difficult, were working.

The deal included the backing of the P5+1 nations under President Obama. He didn't go it alone, as President Trump did in his invasion of Iran. The nations that joined in supporting the JCPOA of President Obama included, of all things, Russia and China. Today, we stand alone in our negotiations with Iran.

The Obama agreement included specific wording, which said:

Iran reaffirms that under no circumstances will Iran ever seek, develop, or acquire any nuclear weapons.

I was watching one of the television shows yesterday. One of my colleagues on the other side of the aisle obviously missed this point. He said there was no guarantee in terms of nuclear weapons in Iran.

Well, there was never a guarantee, but there was a pledge and a promise—an enforceable one—and enforceable inspections.

It sounds to me, under the best case scenario, in which all enriched uranium—the most dangerous of which was developed under Trump, after he withdrew from the JCPOA—is removed from Iran, we are simply moving toward the same type of agreement all over again, at a cost of billions of dollars to the American taxpayer.

I sure hope my Republican colleagues, who so loudly objected to the JCPOA, will scrutinize Trump's deal with the same zeal and that we have just that opportunity, because we passed a measure, back during the early Obama negotiations, called the Iran Nuclear Agreement Review Act.

Several Senators joined in that effort and won. Senator TIM KAINE of Virginia still serves in this body.

This was bipartisan legislation, passed overwhelmingly in 2015, which will apply to any new agreement with Iran. The law requires the administration to submit to Congress, within 5 days, any agreement with Iran over its nuclear program, after which the Foreign Relations Committees will hold hearings. And then Congress can vote to approve or disapprove the deal.

So I look forward to a close look at what the final deal looks like. And if, as predicted, it is similar to what Trump abandoned, we have to ask ourselves whether this war was really worth the American lives and the cost in American servicemembers.

NOMINATION OF JUSTIN D. SMITH

Mr. DURBIN. Mr. President, on a separate issue, the Senate will soon vote on the confirmation of one of the President's personal attorneys to the Federal appellate court. If it sounds familiar, it is because we have seen it before.

Last summer, the Senate confirmed another of the President's personal attorneys, Emil Bove, to be on the Third Circuit. It was previously unheard of for a President to do anything like this, but those rules are out the window.

That is why the President nominated Todd Blanche, who represented him in cases that were filed against him, to serve as the next Attorney General. And that is why President Trump nominated Justin Smith, who is currently representing him in civil cases brought by E. Jean Carroll.

Ms. Carroll is one of dozens of women who have come forward to credibly accuse the President—credibly accuse the President—of sexual assault. In Ms. Carroll's lawsuits, juries found President Trump liable for sexual abuse and defamation, awarding Ms. Carroll nearly \$90 million in damages. And that is being appealed.

But this conflict of interest raises serious questions. These are lifetime appointments to Federal judgeships—lifetime appointments which have to be given to people who have been carefully scrutinized. We have not done that when it comes to Mr. Smith. We can do better.

Mr. Smith has filed numerous briefs and motions in which he has challenged the verdicts against the President. While all litigants deserve a zealous advocate, Mr. Smith repeatedly attacked Ms. Carroll—a sexual assault survivor—in court filings. Mr. Smith baselessly dismissed Ms. Carroll's allegations as “facially implausible” and “politically motivated.” He also falsely claimed that her allegations are a story that precisely matches the plotline from an episode of one of admittedly her favorite TV shows, ‘Law & Order’.

In addition to these lawsuits, Mr. Smith assisted in President Trump's defense in defense in Trump v. United States, the Presidential immunity case. But even apart from Mr. Smith's personal representations of the President, his record shows he is too ideological and too extreme for the Federal bench. Mr. Smith was an election denier long before he was hired by President Trump. While working in the Missouri Attorney General's Office, he joined the baseless effort to challenge the results of the 2020 election. When asked about this, he told the Judiciary Committee he was “proud to add [his] name” to that effort, once again demonstrating his loyalty to President Trump over the rule of law. During his legal career, in both government service and private practice, Mr. Smith has repeatedly worked to restrict abortion rights and the rights of LGBTQ Americans. His personal commentary on those subjects shows that his efforts reflect not only his legal positions but also his personal beliefs. In a blog post, Mr. Smith wrote: The Republican Party must have positions painted in bold colors on the critical issues that face this country. Abortion is murder. Gay marriage is sin.” He added: On these core principles of our party, there must be no equivocation. When asked whether he still holds these beliefs about abortion and same-sex marriage, Mr. Smith refused to condemn them. Those words are unbecoming of a

judge and reveal a level of bias and partisanship that is unacceptable in a judicial nominee.

Mr. Smith also has extensive right-wing political affiliations and ties to dark money entities. He has volunteered on dozens of Republican campaigns and participated in numerous events sponsored by conservative groups. He has also served as a board member of several Republican-aligned organizations, including super PAC and entities affiliated with Leonard Leo. Mr. Smith's record makes his extreme ideology and partisanship clear. It is equally clear that President Trump believes Mr. Smith will continue to place the interests of the President ahead of the interest of justice and the rule of law if he is confirmed. I urge my colleagues to join me in opposing his nomination.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mrs. BRITT). The Democratic leader is recognized.

IRAN

Mr. SCHUMER. Madam President, Senate Democrats have been unwavering in calling for an immediate end to Trump's war with Iran, and we will continue to do so until his blunder is well and truly over.

For more than 100 days, I have come to this floor to denounce Trump's reckless and dangerous Iran war and demand its end. Now, it has been nearly 24 hours since Trump announced there was a potential deal with Iran, and we still don't know the details.

We have been told dozens of times that this war is over, and dozens of times we have been disappointed. There have been divergent statements from a variety of people in the administration. In these high-stakes negotiations, the devil is in the details. But Trump hasn't even revealed the text of his "understanding" with Iran. The American people need to know exactly what is in the deal. Trump must brief Congress and the public on the details of his understanding with Iran immediately and end this war once and for all.

Instead, Americans still have more questions than answers: Will our troops remain in harm's way? How does Trump plan to achieve any of the stated goals of his reckless war? What is the plan for the proposed "60 days of negotiations"?

There are still many unknowns about Trump's negotiations with Iran, but we know this for certain: We are worse off than before Trump began this foolish war of choice. The Iranian regime is more radical than before Trump began his war. Iran has more control over the Strait of Hormuz today than before the war began. Gasoline prices are still dramatically higher than before the war and will remain so for a long time.

Americans are scratching their heads wondering what we have accomplished in Iran. Make no mistake, the longer this war drags on, the worse all of this will get.

The biggest question Americans had at the beginning of this war was, What would Donald Trump get out of it and at what cost? But Trump answered that question: Thus far, nothing and at an enormous cost.

FISA

Mr. SCHUMER. Madam President, now on Pulte and FISA and the SAVE Act, Senate Democrats have made it clear that however long Trump wants Bill Pulte to serve as Acting Director of National Intelligence is too long. Every minute Pulte spends as DNI is a minute he could spend undermining our national security and politicizing our intelligence community. No one wants his eyes or hands on this document, given his recklessness, his attack-dog stance whenever it comes to Trump.

The 18 U.S. intelligence Agencies are simply too important to entrust to someone as inexperienced, as blindly loyal to Trump, and as blind to facts as Bill Pulte, and that is not what we need in a DNI.

Trump's absurd demand to tie his radical SAVE Act—restricting Americans' voting rights—to FISA is also deeply reckless and demonstrates his true motives. The SAVE Act is perhaps the most vicious piece of anti-voting rights legislation Trump has ever come up with and it will not pass and it will not save FISA, Donald Trump.

Once again, Trump proves he has no problem undermining America's national security if he thinks it will help him politically.

(The remarks of Mr. SCHUMER pertaining to the introduction of S. 4781 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

NOMINATION OF JUSTIN D. SMITH

Mr. SCHUMER. Madam President, Trump's Eighth Circuit nominee, with his nomination of Justin Smith to the Eighth Circuit Court, Donald Trump continues—continues—to stack our courts with judges whose only qualification is their complete loyalty to him and his extreme far-right agenda. Smith checks all of Trump's boxes.

Smith currently serves as Trump's lead counsel in his case against E. Jean Carroll, who received \$90 million after jurors found Trump liable for sexually assaulting and defaming her.

Smith also helped prepare Trump's lead counsel for the Supreme Court case to grant the President absolute immunity to break the law.

A longtime Republican operative, Smith once wrote in 2007 that "abortion is murder, gay marriage is a sin . . . and on these principles of our party, there must be no equivocation."

In keeping with Trump's efforts to undermine America's elections, Smith also supported efforts to challenge the results of the 2020 election. Trump's nomination of Smith to the Eighth Circuit is part of his effort to undermine the rights of American people and to turn our justice system into a rubberstamp for his egregious crimes. I strongly urge a "no" vote from my colleagues.

The PRESIDING OFFICER. The Senator from Alaska.

IRAN

Ms. MURKOWSKI. Madam President, like so many of us here in the Senate and really across the country, I think we have all been watching the news this weekend to see whether or not we would have an announcement from the Trump administration on a possible agreement to reopen the Strait of Hormuz and ensure that Iran never develops a nuclear weapon, among other objectives. I think the news this morning was promising, and we are all waiting to see what the contours of that agreement will be.

We can debate the way the administration started this war, but I certainly stand here today genuinely wishing the administration all the best in ending this on favorable terms. It would clearly be good for the region and it would be good for the world if the Iranian regime stops funding terror and permanently abandons its nuclear ambitions. I think we can all agree to that.

Yes, while there appears to be a final agreement, we haven't seen it yet. We want to have a good deal from the U.S. perspective. We are going to learn more this week. As we do that, I hope that things will begin to reopen and that we will be able to stave off what has been rapidly approaching in our energy markets, and that is what I want to speak to more directly today.

We know the basics here. All across the country, people and businesses are just paying a lot more for fuel. We have seen the prices go down a little bit today—that is good news—but the fact of the matter is, we have all felt the impact from rising prices.

The price of oil went up substantially during the war, and so did the price of gasoline, the price of diesel, of kerosene, of avgas, and other fuels as well. That is taking a toll. It is simply more expensive to drive, and it is more expensive to fly and to buy groceries. According to one estimate, the average American household has paid nearly \$400 more for fuel since the start of the conflict.

As tough as that all is—and it has been. It has been very hard for many families. But it has also been somewhat tempered. For the past couple months, we have been emptying ships with fuel that had already transited the Strait of Hormuz. Some regional flows have been rerouted to bypasses. That has been good in terms of getting product out there. Some producers—