

execution are as important as vision. If this agreement is approved, that is day 1 of the critical implementation and execution period. There is a real risk, I believe, that as time wears on, the attention of the international community on this issue will diminish. It will be vital to the United States, across successive Presidents, to maintain focus on implementing and enforcing the terms of the agreement.

Congress also will have a crucial role to play, both in oversight of the deal's implementation and in making certain that the IAEA and our intelligence agencies have the resources they need to monitor and assure compliance, and more broadly to ensure that all of our options to prevent Iran from developing a nuclear weapon—whenever they may decide to take that step—remain viable if the agreement collapses.

I have negotiated lots of contracts over the years, and one side or the other rarely wins in a negotiation. The idea is that all sides get something they want or need, and, in the end, I believe that is what happened here. If this deal is implemented properly, I believe it will accomplish our national security objectives, while preserving or improving all of our existing options to ensure that Iran never develops a nuclear weapon.

There is no certainty when it comes to this question. As I said at the beginning, I believe this is the most difficult decision I have ever had to make. There are risks in either direction, and there are credible arguments on both sides. But, in the end, I have concluded that the terms of this agreement are preferable to the alternatives—and that is the crucial analysis; what are the alternatives—and that it would be in the best interests of the United States to join our partners in approving it.

I intend to remain deeply engaged in this issue in the weeks and months ahead because the process does not end the day of our vote. If this agreement moves forward, it will fall to future Presidents and future Congresses to oversee it and make it work. We owe the American people our best judgment, and it is my belief that this agreement, if implemented effectively and in conjunction with the other measures we must take to ensure its ongoing vitality, will serve our Nation, the region, and the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I wish to say a few words about the deal negotiated between the P5+1 and Iran to deny Iran's access to a nuclear weapon.

First, I commend the administration and others involved in the negotiations for seeking a diplomatic solution. There always needs to be a credible threat of military force to deny Iran a nuclear weapon, but it is incumbent upon us to test every avenue for a peaceful solution before resorting to such force.

I am mindful that—like any agreement involving multiple parties that are friendly, belligerent, and somewhere in between—this agreement can't be used against the ideal. It has to be judged against the alternative. On the whole, this agreement measured against the ideal doesn't look all that good. Against the alternative, it is a much closer call.

I must say that I am not as sanguine as some of my colleagues about the ability to reassemble the multilateral sanctions regime that has brought Iran to the negotiating table.

On the nuclear side, Iran's ability to amass sufficient fissile material to assemble a nuclear weapon would be severely curtailed for up to 15 years. The inspections regime to ensure compliance, at least as it pertains to known nuclear facilities, is fairly detailed. That is no small achievement. Much credit is due to the scientists and others who assisted with the negotiations.

On the other hand, I have grave concerns regarding our ability—and if not our ability, our willingness—to respond to nefarious nonnuclear activities that Iran may be involved with in the region.

We are assured by the administration that under the JCPOA, Congress retains all tools, including the imposition of sanctions, should Iran involve itself in terrorist activity in the region. However, the plain text of the JCPOA does not seem to indicate this. In fact, it seems to indicate otherwise. Iran has made it clear that it believes that the imposition of sanctions similar to or approximating those currently in place would violate the JCPOA.

My concern is that the administration would be reluctant to punish or deter the unacceptable nonnuclear behavior by Iran in the region if it would give Iran the pretext not to comply with the agreement as it stands. I don't believe this is an idle concern. The degree to which the administration has resisted even the suggestion that Congress reauthorize the Iran Sanctions Act, for example, which expires next year, just so that we might have sanctions to snap back, makes us question our willingness to confront Iran when it really matters down the road.

Now, if this were a treaty, that could be dealt with with what are called RUDS—or reservations, understandings and declarations—where we could clarify some of these misunderstandings. But since this was presented to Congress as an Executive agreement, we don't have that option.

We have had numerous hearings and briefings in the Senate Foreign Relations Committee. I commend Senator CORKER, the chairman of the committee, and the minority ranking member, Senator CARDIN, for the manner in which they have engaged in these hearings and briefings.

We have had a lot of questions raised. Some have been answered; some have not. These hearings will continue. I

will leave from this Chamber to go to another briefing that we are having. I expect to hear more in the coming weeks and will seek to answer questions that I still have about the agreement. The bottom line is I can only support an agreement that I feel can endure—not just be signed but that can endure—and that will serve our national interests and the interests of our allies.

Again, I commend those who have been involved in this process. I commend those involved in ensuring that Congress had a say here. I will continue to evaluate this agreement based, as I said, not on the ideal but the alternative. There are many questions I wish to have answered.

I encourage the administration to work with Congress in the coming weeks on legislation that would clarify some of these misunderstandings. It would take the place of so-called RUDS if this were a treaty.

I have mentioned before that this kind of legislation is going to come. It will come prior to implementation day, and I think it behooves the administration and the Congress to begin now to work together on items that we can agree on that clarify this, assuming that this agreement will go into effect. It ought to be clarified now and not down the road. That would make it far more likely to be an enduring document rather than one that is simply signed and forgotten later.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Utah.

RECESS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate stand in recess until 6:15 p.m.

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

Thereupon, the Senate, at 5:05 p.m., recessed until 6:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. TILLIS).

The PRESIDING OFFICER. The Senator from Ohio.

DRINKING WATER PROTECTION ACT

Mr. PORTMAN. Mr. President, I come to the floor once again to make an attempt at passing a very important, commonsense piece of legislation that is bipartisan. It helps to ensure that the drinking water supplies in northern Ohio, Lake Erie, and throughout our State, the freshwater reservoirs and other lakes that are providing water—and also around the