

we saw the details of that deal in 2015, it quickly became clear that it was not much of a deal at all. If the goal is to prevent Iran from getting a nuclear weapon—well, it obviously failed in that goal.

As the majority leader said at the time, it “appears to fall well short of the goal we all thought was trying to be achieved, which was that Iran would not be a nuclear state.”

Despite the restrictions it would impose, the deal would leave Iran with a vast nuclear program and allow it to continue to conduct research and development on advanced centrifuges and building intercontinental ballistic missiles.

Perhaps worse, the nuclear deal would lift those restrictions in a decade. In other words, it was 2015 when the JCPOA was signed by the relevant parties. So by postponing Iran’s ability to develop a nuclear weapon, we are already half of the way there almost. It is no wonder that then-Israeli Prime Minister Benjamin Netanyahu delivered an address to Congress in March of 2015 and said the JCPOA “doesn’t block Iran’s path to the bomb; it paves Iran’s path to the bomb.” That certainly seems to be the case. We have seen Iran violate the nuclear deal and U.N. resolutions time after time, and it is clear that their resolve to create nuclear weapons remains their highest priority.

Just a year ago, President Trump announced the United States would pull out of the nuclear deal, a decision I strongly supported. Even at the time Secretary Kerry, the Secretary of State, admitted that the tens of billions of dollars the United States released to go to Iran would be used to fund their terrorist activities, he supported it nonetheless. He supported it even though it paved the way for Iran to get a nuclear weapon 10 years after the JCPOA was signed.

Since the Trump administration has withdrawn from the JCPOA, it has taken resolute action against Iran, including stronger sanctions on entities and individuals and the designation of the IRGC as a foreign terrorist organization, which it clearly is. Somehow, though, despite the unprovoked attacks, flagrant violations of international agreements, and human rights violations, some of our friends on the left and the mainstream media have grossly mischaracterized the situation and have somehow managed to point the finger at the Trump administration for starting the fight in the first place. They want to blame America, and they want to blame this administration.

Let me be clear. Iran is the aggressor. Their history as the chief mischief-maker in the Middle East began long before President Trump took office, so don’t lay this at his feet. From the Iran hostage crisis to their outright support of terrorist groups in the Middle East, to this latest strike at a U.S. aircraft, something they admitted—they said: We did it—their actions at

every turn have demonstrated a desire not only to escalate the conflict with the United States and our interests and allies but to spread their violent extremism without regard for anyone else.

I have to say it has been 74 years since a nuclear weapon was exploded during World War II, and I hope and pray there is never again a nuclear weapon exploded on our planet, but can you imagine Iran, the No. 1 state sponsor of international terrorism, getting a nuclear weapon? We can never ever allow that to happen.

This last week marked the 23rd anniversary of a notable episode in Iran’s sad history of terrorism. That was the 23rd anniversary of the Khobar Towers bombing in Saudi Arabia. In 1996, a truck bomb was detonated adjacent to a building housing members of the U.S. Air Force’s 4404th Wing, killing 19 U.S. Air Force personnel and a Saudi local and wounding 498 others.

If Tehran expects to continue exporting terrorism and violence around the world without a response from the United States and our allies, they are sorely mistaken.

If Iran can continue to escalate with no response from the United States or our allies, they are going to continue to escalate as much as they can, which I think is more dangerous than a proportional U.S. response to what happened in the Strait of Hormuz.

The President has opted for hard-hitting sanctions, which I think are a good start. Those sanctions announced by the administration earlier this week represent an appropriate response to the Iranian escalation consistent with President Trump’s maximum pressure strategy on Iran. These sanctions will deny the Supreme Leader, the Supreme Leader’s office, and close affiliates access to resources they need to finance their rogue regime. There is no benefit—in the interest of peace—to applying anything less than maximum pressure on Iran to change their behavior. The tentacles of the IRGC run deep into their economy, and these sanctions will prevent them from amassing even greater power to develop sophisticated weapons.

We have seen reports that the economic challenges they are encountering as a result of the sanctions already in place are making it harder for them to finance their terrorist operations through their proxy.

The actions taken by Iran show that they are feeling the squeeze of these sanctions, and they know exactly what they need to do before they can get relief. As Secretary of State Pompeo said, “When the Iranian regime decides to forgo violence and meet our diplomacy with diplomacy, it knows how to reach us.”

I sincerely hope to see the day when the Iranian people can live without fear, when their government respects its own citizens and international allies and lives by international norms and finally decides to forgo its nuclear weapons. Until that day comes, I hope

our allies will stand with us in confronting the tyrants in Iran and doing everything in our power to push back against the world’s largest state sponsor of terror.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

S. 1790

Mr. BLUMENTHAL. Mr. President, tomorrow this body faces an opportunity, in fact, an obligation to reassert its proper constitutional role in warmaking.

I urge my colleagues to support the Udall-Kaine amendment, a provision to prohibit funding for unauthorized and unapproved military operations against Iran. No vote will be more important during this session than the one we cast tomorrow. It is not only the imminence of potential conflict, it is the reality that we would be surrendering our proper constitutional responsibility and our right if we fail to adopt this amendment. The American people already believe we have ceded too much authority to the executive branch; that we are implicitly, if not directly and explicitly, approving an imperial presence. This amendment puts us to the test before the American people.

The Congress has a job to do. We should do that job tomorrow. We should insist that we have the authority and we have the obligation to consider whether there are military operations against Iran.

We can talk about policy. There is no question that Iran is a malign and treacherously bad actor in that part of the world. There is no doubt that it poses a clear and present jeopardy to the world community. Iran may well have installed mines on the two tankers that were severely damaged recently and may well be the culprit in shooting down an American drone in the past week, but the United States is on a perilous course. We are on a dangerous course toward continued escalation and possible miscalculation that may create a spiral of uncontrollable military responses.

It isn’t that we have a dangerous policy, it is that we have no policy, no strategy, no endgame articulated by the President of the United States or anyone in this administration. To resort to military action rather than reliance on diplomatic approaches is a recipe for potential disaster.

This unintended escalation could result from more miscalculation or it could result from purposeful desire on one side or both sides among a small number of advisers or military leaders that there be a resort to kinetic activity, but we have, in the meantime, an opportunity to resort to diplomacy, to enlist our allies and partners. This situation is the result of our putting those allies, in part, in an extraordinarily difficult position.

The current tensions with Iran today are the direct result of President

Trump's ill-conceived policy toward Iran ever since he carelessly and recklessly discarded the Iran nuclear deal last year. His approach to foreign policy has been indecisive and chaotic, and that is partly the reason why tensions have escalated with an adversary rather than preserving key nuclear agreements and engaging in diplomacy.

We must now deescalate and resort to diplomacy. Even if one disagrees with that point, puts aside the President's bellicose and bullying rhetoric, and even if there is the thought that Iran is solely and completely responsible for this situation, the United States should not engage in military operations without the authorization of Congress. Yes, it may defend against or deter an immediate attack that is so urgent that defense of the country has to be undertaken by the Commander in Chief. But this Senate should prevent the President from entering and starting and engaging in another war in the Middle East under the misguided idea that there is a 2001 authorization that allows him to do so legally.

Let me be perfectly clear. A failure of the prohibition funding amendment we will consider tomorrow is not itself an authorization for the President to wage war with Iran. The Constitution trumps any statute. The Constitution requires action by Congress. Without congressional authorization and anything short of specific authority for declaration of war from Congress, starting or waging a war with Iran would be unconstitutional.

But the NDAA on the floor this week is an opportune time—in fact, a perfect opportunity—for Congress to reassert its constitutional authority over the role of the declaration of war. We must seize this moment. We can't simply allow or rely on the outdated 2001 authorization for the use of military force. We cannot allow its intent to be so distorted and stretched and our constitutionally required oversight to be disregarded. We have an obligation to conduct oversight continually and push back on an administration that makes false claims to advance its war-mongering agenda.

The NDAA we passed today gives us the authority to undertake our defense of the Nation.

S. 1790

Mr. BLUMENTHAL. Let me begin by thanking Ranking Member JACK REED of Rhode Island and Chairman INHOFE of Oklahoma, as well as my other colleagues on the committee and my staff, who have worked tirelessly on this to include key elements of my proposal that are important to our military, as well as to our Nation.

This NDAA includes comprehensive reforms to the Military Housing Privatization Initiative. It changes military housing in ways that are long overdue and will prioritize families, ensure long-term quality assurance, and enhance accountability.

In the hearings held by the Armed Services Committee with military families who have experienced adverse health effects and financial burden from residing in hazardous housing, one point was absolutely clear: Our Nation is failing military families who live in this military housing. The conditions, widespread and prevalent, are entirely unacceptable. I was heartbroken to hear much of this testimony from military families who already sacrifice so much and who have struggled to secure safe and livable conditions.

I visited some of the homes at the New London base, and I was struck by the mold, the repairs that were needed, the defects in appliances, and the complaints about lack of proper air-conditioning and heating. We owe our military families much better, and we owe law enforcement the support they need to crack down on fraudulent private contractors.

I am also proud that the NDAA includes my provision to prohibit the Trump administration from modifying military installations to detain migrant children who have been forcibly separated from their parents. The separation policies of this administration have been absolutely abhorrent and antithetical to our values and ideals. They have been shameful and disgraceful.

We have seen the photos, and those pictures are worth a thousand of my words today, but the misuse of military resources, as I have repeatedly emphasized, to implement this administration's radical immigration enforcement agenda—this provision is a small but necessary step toward protecting migrant families from the cruelties of this family separation policy. It is only the beginning. We need to ensure that the Department of Homeland Security reimburses the Defense Department when military resources are used for support at the border. This kind of measure will hopefully prevent DHS from using the Pentagon as a piggy bank—a financial resource for cruel and inhumane policies.

We need to ensure that the President is stopped from abusing his Executive authority by deploying troops to assist in deportation.

We also considered floor amendments to the NDAA. I want to highlight an amendment that I offered to improve equity in the post-9/11 GI bill benefit. Last July, the Pentagon issued a new policy on servicemembers' ability to transfer unused education benefits to their family members. These new policies prevent servicemembers with more than 16 years of military service from transferring education benefits at the time that military servicemembers opt to transfer rather than when they become eligible. The Pentagon argues that these changes were made to ensure that the Department keeps a key retention tool—all while breaking our promise to military families by moving the goalpost of transfer eligibility and

exacerbating inequities in transferring educational benefits. Most notably, disqualifying servicemembers with more than 16 years of military services counterintuitively penalizes the men and women who have served this country in uniform for the longest time.

My amendment would make the post-9/11 GI bill an earned benefit rather than a retention tool and ensure that all servicemembers who have completed 10 years of service in the armed services and Armed Forces are eligible to transfer their benefits to dependents at any time, both while serving on Active Duty and as a veteran.

Despite the passage of the NDAA and the need for this amendment continuing, I will continue to champion equitable education benefits for our military families.

This year's NDAA makes important, unprecedented investments in the submarines, helicopters, and aircraft built in Connecticut. They are not only manufactured in my State—employing thousands of skilled workers vital to our defense industrial base—but they are also critical to our national security. They keep our country safe, and they make sure our Nation and our military have a fair fight. They play a vital role in our defense industry thanks to the unparalleled skills and unstinting dedication of our manufacturing workforce. Because of that workforce, we are able to build the best submarines and the best F-35 engines and other aircraft engines and helicopters in the world—not only through that skilled workforce and those major contractors but the workers at suppliers and contractors, who are equally vital.

Last year, we built two submarines. This year, there will be two more, with procurement for another major part of a submarine. As we begin accelerating production of those Virginia-class submarines, the New London Sub Base must have the capacity to support increased submarine output. That is why I fought for \$72.3 million to replace Pier 32 at Sub Base New London, ensuring a modern landing to accommodate multiple Virginia-class submarines.

I was proud to lead the fight for increased investment in those Virginia-class submarines. That included \$4.7 billion for those two submarines and nearly \$4.3 billion in that advance procurement for a third Virginia-class submarine.

The NDAA also includes \$2.3 billion—which is \$140 million above the President's request—for the Columbia-class program.

I was proud, as well, to champion over \$10 billion for 94 F-35s, which are important to all of our military services. That is an additional 16 above the President's request.

In helicopter production, we will keep faith with the warfighters and with our defense industrial base at Sikorsky.

Today's effort is a tribute to the leadership and the bipartisan efforts in