

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

HIRE MORE HEROES ACT OF 2015—
Continued

The PRESIDING OFFICER. The Senator from Massachusetts.

BAN ON DOMESTIC OIL EXPORTS

Mr. MARKEY. Mr. President, there is a proposal that is going to be made before the House of Representatives and before the Senate. That proposal will lift the ban on the exportation of American oil—oil that is drilled for here in the United States. The oil industry wants to have this ban lifted. You have to go back in history 40 years, to 1975, in order to find why that ban on exported oil is on the books. In 1975 we were at the height of the first oil embargo from OPEC. We were importing 30 to 35 percent of the oil we consumed in the United States. A ban was put in place for us to export our own oil if we were importing 30 to 35 percent of the oil that we were consuming in America. It put us at a big disadvantage if we took that approach to our own oil.

Today the United States imports 25 to 30 percent of all the oil which we consume. Mark Twain used to say that history doesn't repeat itself, but it does tend to rhyme. Today is a lot like 1975 in terms of the amount of oil that we import into our country. Right now we import 5 million barrels of oil a day. We import oil from Iraq, we import oil from Venezuela, and we import oil from the Persian Gulf in order to fuel our economy. Now the oil industry says: Let's start selling the oil we have and drill for in the United States out in the open market. Why does the oil industry want to do that? Because when oil is drilled for in the United States, the price that is set is set in Oklahoma. Cushing, OK, is where the price is set. On average that price is \$3 to \$6 less expensive per barrel than the oil that is on the open market. That is called the Brent crude price. But it is the world price. That is not our price. Our price is \$3 to \$6 less.

The oil industry in America wants to get our oil out in the open market so they can sell it to other countries. What countries? First in line would be China. After that, most likely, are other Asian nations. That makes a lot of sense for oil companies. It does not make any sense for American consumers. By keeping the ban in place, Barclays Bank estimated that all that oil here put pressure on prices and lowered prices for consumers by \$11 billion last year. You can see it when you look at the price at the pump when you go to fill up.

This year Barclays Bank estimates that there will be a \$10 billion reduction in cost for consumers. You can see it at the pump. You can see the price coming down. The pressure works for consumers. The oil industry does not

like that. They want to get that oil out of America. They want to get a higher price on the global market.

As to national security, does it really make any sense for the United States to be sending young men and women over to the Middle East in uniform, into that highly unstable part of our planet in order to ensure that this stability leads to huge ships with oil in it coming from the Middle East into America, while simultaneously having the oil industry saying let's export our own oil that we already have? It makes no sense. As long as we are exporting young men and women over to the Middle East to fight, to protect ourselves, we should not be exporting our own oil domestically. It makes no sense whatsoever.

Our own Department of Energy says that our production in America is going to peak in the year 2020—peak—and then decline for the next 20 years. We import 5 million barrels a day. Our oil production will peak in the year 2020 and then start to decline, and the oil industry wants to start exporting our own oil. Many of the advocates of that say: You wouldn't have a ban on any other product being exported from the United States. That is probably right. We don't have a ban on the export of widgets or watches. But on the other hand, we don't fight wars over widgets. We don't fight wars over watches.

Oil is different. Oil has been at the center for 50 years of this powerful geopolitical battle that the United States has been drawn into in the Middle East. Let's not kid ourselves. We are living it every day, looking at the lead stories on every television network in our country—every day.

In terms of what we lose, the domestic refining industry is totally opposed to this. The oil refining industry of the United States is totally opposed to exportation. Why? Because they are investing in the construction of new refineries here to refine American oil here in refineries that are constructed and employing hundreds of thousands of people within our own country. The refining industry opposes it. It would be a \$9 billion loss and a reduction by 1.6 million barrels of oil per day that could be refined in the United States. The shipbuilding industry is opposed to it.

We are seeing a 40-percent increase in the amount of shipbuilding in America. Here is what is happening. The oil is produced in the oil patches. It is put on ships, and it is sent to Pennsylvania, sent to New Jersey, sent to other parts of America. You need ships to do that. Then that oil gets refined in Pennsylvania, and it gets refined in other parts of the country. That would end this incredible shipbuilding boom that we have seen.

Where will these exports go? We are not like Russia. We are not like Saudi Arabia. We don't have state-run oil companies. We are a capitalists. Capitalists go for the highest price no mat-

ter where it is. You put the oil out on the open seas, and our companies will head toward the highest price.

Who is going to pay the highest price? China is going to pay the highest price. Other countries that are wealthy are going to pay the highest price. We can't pretend that it is going to go to where the geopolitical needs of the Secretary of State or Secretary of Defense are going to go. That is not how capitalism works. You go towards the highest price. That is the fiduciary responsibility that you have as a CEO of a company. That does not get mixed up within our society. The hand on the tiller of those ships is heading towards the highest price.

Who benefits? The oil companies will benefit. There are estimates that by 2025, they will be making an extra \$30 billion a year in profits—per year. It makes sense for the oil companies.

Who are the losers? Our consumers are going to be big losers. Our national security is a big loser. We are exporting our strength, our oil, even as we need 5 million extra barrels a day. Our domestic refiners are big losers. Our U.S. shipbuilding industry is a big loser, and our environment is a big loser.

Can you imagine it? The Pope is arriving next week, and he is going to talk about the role that human beings are playing in the dangerous warming of our planet. What the oil industry wants us to do is to continue to engage in expanded fracking of oil on our own soil, even though we haven't fully figured out how to contain the methane that comes out of that fracking, and then put it on ships and send it around the world. Where are the benefits for the American people? Our environment takes all of the risks, and the oil goes out to the open seas with the benefit to the oil companies. It makes no sense at all.

Within 10 years, they are making an extra \$30 billion every single year from that additional profit that they get by selling it overseas, rather than keeping it here and keeping the pressure on lowering the price for consumers here in our country.

Many times you hear them saying: We really should be able to drill off the coastline of the United States, all the way up to Maine, down to Florida, from San Diego up to the top of Alaska—right off the coastline. What about the fishing industry? It could endanger it. What about tourism on those beaches if this is spilled? It could endanger it. But they say: We must do it in order to ensure that we have the oil that we need here in the United States.

You can't have it both ways. You can't say that we have enough oil that we can export it out of our country, and simultaneously say that we must drill off of our coastlines in dangerous conditions because we don't need the oil because we can export it. You can't have it both ways. No one is allowed to do that.

There is a pretty high contradiction coefficient in the argument made by

the oil industry. We need to have this debate. The American people must know that they are going to run the risk of being tipped upside down at gasoline stations all across the country and having money shaken out of their pockets as they fill up their tanks because the oil industry just wants more.

So national security—let us know when we have produced the extra 5 million barrels a day here. Let us know when they have the evidence that proves that the Department of Energy is wrong and our production doesn't start to go down after 2020. Let us know when they have invested in the safeguards that ensure that methane does not come up from the fracking wells. Let us know when we put as a priority those American young men and women that we are sending over there into the Middle East. It makes no sense. It is a bad policy. They had it right in 1975. We are still importing about the same amount of oil as we were back then. We don't want to invoke the first law of holes, which is, when you end one, stop digging. We want to make sure that we abide by that rule, that we guarantee that we start to come out of that hole, that we use American oil here first before we sell it overseas and hurt consumers, the environment, and our national security.

This is the beginning of a very important debate in our country. I am looking forward to it. I think the American people are going to rise up and realize that this is very dangerous for them on so many different levels that it will be rejected on the floor of the Senate before this entire process has ended.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, yesterday evening our Democratic friends across the aisle, led by the minority leader, again refused to allow the Senate to cast an up-or-down vote on a resolution that would make clear that the Senate disapproves of President Obama's nuclear deal with Iran. It is clear that there is, in fact, a bipartisan majority of both Houses that disapproves, but, using a procedural tool—the filibuster—our Democratic friends are trying to deny the American people an opportunity to cast a vote on this bad deal through their elected representatives and indeed I would suggest to also avoid the accountability that goes along with this because this movie will not end well.

They are the No. 1 state sponsor of international terrorism. This deal gives them \$100 billion to continue to finance terrorist attacks and proxy war against the United States and our allies. This has a phony inspection regime because it requires the United States to ask 24 days ahead of time to be able to inspect various sites. Indeed, we found out that on some of their military sites, the International Atomic Energy Agency—the IAEA—will not even be allowed to access those mili-

tary sites but, rather, the Iranians will do their own inspection and then turn over their samples to the IAEA waiting dutifully at the gate of these military compounds where we know there is nuclear activity taking place.

So this is really a lousy deal. I mean, assuming that we could somehow deny Iran a nuclear weapon, which used to be American policy, I think we would find a huge consensus. But, in fact, this also changes American policy. Rather than denying them a nuclear weapon, it would literally pave the way, essentially giving them a free hand in 10 to 12 years from now.

We just observed the 14th anniversary of 9/11, September 11, 2001. It was only 14 years ago that we had a terrorist attack on our own soil. One of those airplanes was heading toward the U.S. Capitol, one hit the Pentagon, and of course two hit the World Trade Center in New York City. So the idea of paving the way for Iran to get a nuclear weapon in 10 or 12 years—when put in that context, that is certainly not very long. That means the nations in the Middle East are going to begin to arm themselves because they are not stupid. They realize a nuclear Iran is a threat to the region. Sunni countries, such as Saudi Arabia and others, will begin a nuclear arms race. Instead of suicide vests and improvised explosive devices, the prospect of a nuclear confrontation in the Middle East ought to send chills up and down anybody's spine. Yet that is exactly what our Democratic friends have embraced, along with the President.

The irony is that in trying to shield President Obama from having to veto the resolution of disapproval, our Democratic friends have also thrown away a chance to improve the legitimacy of this deal by allowing an up-or-down vote. Why in the world would they feel the pressure to protect the President from something he is proud of, which is this Iranian nuclear deal? It doesn't make much sense. This deal on its own merits is indefensible.

Thankfully, there is a small silver lining because this is not legally binding beyond the Presidency of Barack Obama. This is not a legal document or a treaty; it is a political agreement. I hope the next President understands that he or she will have complete freedom to tear this deal up and negotiate a better deal and keep the pressure on Iran and deny them a nuclear weapon.

We have seen this happen before with issues such as ObamaCare and Dodd-Frank. If the shoe were on the other foot, were Republicans to try to jam through legislation such as this on a controversial topic on a purely partisan basis, it wouldn't have much staying power because you would not have built the sort of political consensus that would give it staying power. So the controversy continues.

We have already spent a lot of time on this debate discussing and highlighting the weaknesses of this deal and the danger it poses for U.S. and

world security. Those weaknesses, as I pointed out yesterday, have been highlighted by the deal's supporters. I mean, the statements that were made by some of the Senators who voted for this deal seemed to be completely at odds with their vote to filibuster the resolution of disapproval. So they are clearly nervous about this deal, as they should be.

The fact is that, rather than making this a bipartisan consensus and making it purely a partisan matter—they will own the negative consequences of this deal because Iran's leaders, at the same time they have been negotiating this deal, have been shouting "Death to America" and saying that Israel will not even be on the map in 25 years. So the chances, I would think, of this deal turning out very badly—all of that responsibility will be in the laps of those who filibustered this deal.

I pointed out that Iran is not giving up or disavowing its role as a foremost state sponsor of terrorism. In fact, all one has to do is go to the State Department's Web site, which is John Kerry's department. Secretary Kerry negotiated this deal. Right there on their Web site is pointed out Iran's role as a major sponsor of international terrorism, its ties to and funding of Hezbollah and Hezbollah's efforts to attack American interests in the Middle East, as well as Syria, Lebanon, Libya, and Iraq. All of this is very well documented. Almost all of the mischief, violence, killing, and threats to the security of that entire Middle East region have Iran's fingerprints all over it.

As a result of some of the documents that were uncovered when Osama bin Laden was killed, we found out even more information. There was a story—I believe it was in the Wall Street Journal yesterday—about records of open cooperation between Al Qaeda and the Iranian regime and their attacks and pursuit on American interests. These are more facts about Iran's nefarious activities recorded in the administration's own public records.

Of course, the regime continues to not deny or suppress but, rather, proudly announce its support of violence in the region and propping up proxy groups, as I said, that are fighting from Syria, to Iraq, to Yemen, and further destabilizing an already volatile region. To add to that mix, this deal dumps nuclear weapons. That is like pouring gasoline on a fire, except it is much more dangerous.

Of course, this deal won't change any of those facts. In fact, President Obama and his national security advisers admitted that terrorist groups supported by the Iranian Government will likely be the real benefactors of sanctions relief under this deal. How will the Obama administration work to keep the billions of dollars that will pour into Iran as a result of this deal from being used to arm and otherwise finance the work of terrorists who seek to kill us and our friends and allies in the region? Well, they simply don't

have an answer for that because they know that is a byproduct or I should say a direct result of this bad deal.

As I pointed out a moment ago, even after the deal was announced, the Supreme Leader in Iran and others continued their attacks on our closest ally in the Middle East, Israel. The so-called Supreme Leader of Iran went so far as to say that Israel won't exist in 25 years. If they had their way, they would wipe Israel off the map.

How does the administration plan to counter this theocratic regime that continues to call for the complete destruction of our Nation's closest ally in the Middle East, Israel? As far as I can tell, they don't have a plan, but that describes so much of their foreign policy.

We have witnessed the refugee crisis in Europe and the heartrending pictures on the news of a young boy's body being washed up on shore because he was trying to get away from a war-torn region of the Middle East—Syria—to somewhere where it is safe so he could grow up and have a productive and normal life. I mean, they are heartrending pictures, but they are a result of this administration having no policy and no real strategy in Syria.

So, really, this is more of the same—no strategy and no clue about how to deal with the dangers that confront the region and the people in the Middle East and its ripple effect on the rest of the world, including the United States.

Tomorrow we will vote on a piece of legislation that addresses some major omissions from the President's executive agreement with Iran. Our friends across the aisle have made their bed and decided to lie down in it, and they have blocked now two times an up-or-down vote on this resolution of disapproval. They made that decision, so now it is time to have another vote and to fill in some of the gaps left by this bad deal.

The bill we will vote on tomorrow is pretty straightforward. It will bar President Obama from lifting sanctions on Iran until two specific benchmarks are met. This doesn't solve all of the problems I mentioned a moment ago, but it will fill in a couple of important gaps. First, we will vote on whether Iran must formally recognize Israel's right to exist as a state, and if they don't, then the President will not be authorized to lift sanctions on Iran. Second, Iran must release American citizens whom it continues to hold hostage. This is the part I just really can't believe. We had this negotiated deal for months and months at the very highest level of the U.S. Government. Yet, under this deal, the leadership of the U.S. Government decides to leave American citizens in prison in Iran and doesn't use this as an opportunity to negotiate their release.

This Chamber should wholeheartedly approve of these commonsense measures—one that calls for the safe return of our own citizens and one that affirms the right of our ally to exist.

This is not a big ask. This does not fix all of the problems with this bad deal, but it does address two glaring deficiencies, and so I think that vote is entirely appropriate.

In conclusion, I will just say that this deal is dangerous, misguided, and, you know what, it is pretty darn unpopular. As I said earlier, bipartisan majorities in both Houses of Congress oppose it, and for good reason. When we look at the public opinion polls, only 21 percent of the public supports this executive agreement.

Tomorrow we will have an opportunity to let the voices of our constituents be heard loud and clear, and I hope our Democratic colleagues will come to their senses, quit playing defense for the White House, and join us in seeking the release of our U.S. citizens held captive abroad and the future security of our unwavering ally, the State of Israel.

I yield the floor.
The PRESIDING OFFICER. The Senator from Alabama.

THE MIDDLE EAST

Mr. SESSIONS. Mr. President, the Iranian deal—this executive agreement dealing with nuclear weapons and their policy in Iran that has been executed between the President of the United States and Iran's leaders—not the Congress, not in a formal treaty that is binding over time but a personal executive agreement—I don't believe is a good one, and I think it is the predictable end, frankly, of a poorly initiated negotiation. I will vote against it based on many of the arguments our colleagues have heard over the last several days and will continue to hear. I do believe it is not the right policy for the United States. I am not going to attempt to restate all of the reasons.

I remember distinctly being in the Middle East, meeting with a top official in one of the countries whose name is well known. President Obama decided to intensify these negotiations toward this kind of end. This Middle Eastern official warned that talking could be a trap. He warned that the Iranians are sophisticated negotiators. They have been recognized as such throughout the world and the Middle East for decades. He warned that one could be trapped into these negotiations, and once you get into them, you have to be able to extract yourself as soon as you realize a good result isn't in the offing. I think that warning was not heeded. We have gone on for 6 years now, and we have reached a point where the President had to either agree to what they wanted or walk away and admit defeat, and he decided to reach an agreement. I think that put us in this bad position. He wanted to achieve this before he left office, apparently, and we can only hope that somehow, some way, this turns out to be better than it appears at this time.

The Iranian acquisition of and their drive to achieve nuclear weapons is just one aspect of the complex situation that results from the extremism

that is arising in the Middle East. It is a part of the extremism that has been arising in the Middle East. I wish to take this opportunity to go further than just discuss Iran today. I think we need to discuss the need for a long-term strategy, bipartisan—Republicans and Democrats—and our Western World allies, the free world allies, for how we are going to deal with the problems of extremism in the Middle East over a long period of time.

It is clear that we are seeing a resurgence of militant Islam. This strain of Islam seeks to advance a theological and political approach to the world. It seeks to unify faith and politics, and believers, as such, seek to advance policies they think will honor Allah's religious command. So this strain that has been in Islam for years that advocates conversion by the sword in fact finds much support in the Koran. I wish it wasn't so, but it does. Many—even most—Muslims are certainly truly people of peace, faithful in their daily activities, but there is a sizable minority that oftentimes seeks dominance and achieves dominance that finds a basis in the Koran for their violent jihad against those they describe as infidels. They see the hedonism of the West and other actions that occur in the Western World, for example, as totally destructive and contrary to what they believe is right, and they don't accommodate to it.

So we are seeing a spasm and an eruption of aggression that has occurred before over the centuries, but it is certainly reaching a high pitch today, exacerbated by the technology of weapons of mass destruction, nuclear weapons, and other dangerous weapons. The nature of this eruption is complex. It is different in every region, in every country, and area, and is different among sects, tribes, and traditions, and is shaped by economic conditions, security conditions, and tribal and human conditions in the various regions of the Middle East, spanning from Afghanistan, Pakistan, to Syria, to Yemen, to Egypt, to Morocco, and into Africa today.

This crisis, occasioned by Iran's religious determination to obtain a nuclear weapon, is just one aspect, though a huge one, that has arisen as a result of this extremism. The world is surely presented with a deep and complex problem that requires the most wise and consistent response over years. The surge of terrorism will not end quickly. We are most likely talking about decades. Our response to such violent actions cannot be based on short-term, political, partisan factors.

President Bush had in his mind a vision for a good future for the Middle East. I supported him. He believed all people wanted peace, freedom, education, and prosperity. He reached too far, perhaps, and made some tactical errors as he sought to advance his vision, but, by 2011, after much bloodshed and cost, Iraq had achieved stability of a kind and some real political progress.

A democratically elected government had been formed and stability and even prosperity seemed possible. Our new President, however, was not impressed. He did not share the depth of this vision. President Obama did not consider the Bush vision as part of an established, bipartisan, long-term strategy of the United States. He thus felt little loyalty to that vision, and he started to execute his different vision in the Middle East.

I was with some British parliamentarians recently and noted that someone had said that President Obama's complete withdrawal from Iraq in 2011 was the greatest error of the 21st century to date. One of the experienced Brits responded: Well, some say it was the disbanding of the Iraqi Army after the victory in Iraq. So even when great nations act, things don't usually go smoothly, and failure of great nations to act often has its own consequences. Enemies do not desire to be defeated. They do not desire to be killed. Enemies adjust to whatever tactics are used against them.

So the point, colleagues and friends, is that military actions are fraught with danger. Inaction is fraught with danger. The world is very complex. The very best minds who know very well the specific countries that are at risk and in turmoil must be involved when plans are made and evaluated. Long-term—even very long-term consequences of action and inaction must be considered at the beginning. The world is a dicey place indeed.

On my heart and mind is the concern that this spasm of Islamic extremism and terrorism will be with us for at least 40 years, perhaps more. Experts have told us this. Dr. Kenneth Pollack, at the Brookings Institute, testified before our Armed Services Committee recently. It came my time to ask a question, and I said: Dr. Pollack, you said that problems that are long in the making will be long in solving. Just briefly, would you say with the spasm of extremism, violence, and sectarianism in the Middle East that we have to have a long-term policy—I mean 30, 50, 60 years—to try to be a positive force in bringing some stability to that region? History tells us those states of violence tend to cool off but often take decades to cool off. And I remember it very distinctly. I got an answer that we do not often get. He looked up at me, and he said: Yes, that is what I am saying.

This terrorism, unfortunately, is often focused on the United States that the extremists see as the Great Satan. This represents a direct threat to the security and prosperity of our people. Thus, we should seek to act in a statesmanlike manner, considering the threats and interests of the people we serve in the near and the long term. That means making wise decisions that may not be popular in the 60-second sound bite world.

In the late 1940s, the famous George Kennan, a State Department official,

penned the “long telegram” they called it. It formed the basis for a long-term Cold War policy that became known as the containment doctrine. It was the basis for resisting the expansionism of communism, totalitarianism, and atheism, and it was part of that movement that was clearly contrary to Western values. So his paper became a bipartisan policy of the United States as we confronted the enormous threat of totalitarian communism, that had a goal, as does radical Islam, of world domination.

While there were vigorous and usually healthy debates over the years over tactics and techniques and procedures, there was consistent and bipartisan support for the overarching strategy that communism could not be allowed to dominate ever-growing portions of the world, that it must be contained. Our Nation—indeed the entire free world—became united in that goal. This strategy held until the blessed collapse of the Soviet Union.

So, once again, we face a totalitarian threat to the free world. This time it is from ideological and apocalyptic Islam. Like communism, its goals are incompatible with the laws, institutions, and freedoms that we see as central to our liberty and prosperity. There can be no compromise with this form of radical Islam. It just will not merge with or accommodate the freedom that we believe is essential in the Western World.

Theologically based sharia law fundamentally conflicts with our constitutional order, which separates church and State and considers free debate and dissent in the Senate as a way to a better world. We believe in debate and dissent and disagreement and the right of freedom of religion. Thus, this threat has to be resisted. It just has to be. To do so obviously means that we and our allies have to agree on an effective strategy—not just the tactics for Iran today, ISIS tomorrow, Egypt the next day, Yemen the next day.

Seven years into his Presidency, President Obama has failed in this regard. We must accept that fact. The result of that failure is instability, violence, and displaced persons. Would we have had none with a good effective strategy? No, I can't say that, but I believe with confidence that we would have had much less difficulty. Indeed, one wise, very sophisticated, European leader told me recently that the immigration crisis, as a result of refugees from the Middle East, is the greatest challenge to the European Union since World War II. What a dramatic statement.

I know many of my Democratic friends are concerned about where we are and are willing to discuss the kind of strategy we need.

The question of Iran and its sponsorship of terrorism and its acquisition of nuclear weapons is a dramatic and extremely important development. That is why it has engaged all of our attention lately.

I chair an Armed Services subcommittee—and I have been on it for 18

years—that deals with strategic forces—nuclear forces. It has been the unified position of the entire world that there not be a proliferation of nuclear weapons, and particularly not in the Middle East. So the acquisition of nuclear weapons by Iran is a dangerous event because they have ideological, apocalyptic, theological views that are scary. In addition, we have been told by the best experts accepted worldwide that if Iran has nuclear weapons, Egypt, Saudi Arabia, Turkey—who knows what others—maybe Jordan in the future would want those too—and the idea that we will have multiple nations in that volatile region of the world with nuclear weapons has been a fear that has unified the U.N. and unified the nuclear anti-proliferation groups worldwide for decades.

But the Middle East presents even broader and more complex issues, in addition to that. Were the people of Syria and the world better off with Assad in power? Was Libya doing better under Qadhafi than it is now? One European official said a million people, mostly Libyans, are on the North African shore seeking to enter Europe or the United States. Is Egypt, under their new military regime, a more secure and positive force for good for the Egyptian people and the whole world and the Middle East than it was under the ousted Muslim Brotherhood and other extreme parties that were a part of that coalition? How would our discussions and actions have been different if our Nation had established a sound, long-term policy to guide our overall approach to this entire region?

Our involvement in each of those situations and others was, it seems to me, far too ad hoc, far too reactive to certain events. Our actions have not been consistent; they have not been predictable; they have not advanced a unified strategy; they have not been a part of a coherent strategy designed to reduce tensions and strife, to reduce our direct involvement in the region. Our policies have not resulted in a containment or a reduction of terrorism and extremism.

I asked a historian a few weeks ago before the Armed Services Committee about this and how we should be approaching the Middle East—Professor Walter Russell Mead. I mentioned George Kennan and the containment strategy and asked: Do you think what we need as a nation is people like some of the experts on the last two panels that we have had, seriously analyzing the future of the Middle East, the nature of the extremist ideology that is there, and developing a long-term, sophisticated policy to rebut it and try to diminish it over time?

He replied and said a number of things. He said:

But what we're also hearing in the background is a kind of a universal confession of failure of strategy.

What is our strategy for ISIS? Are we fighting Assad first, then ISIS? ISIS first, then Assad? Neither? Both? Something entirely different?

I think—I've rarely in my lifetime—although I certainly have heard moments of strategic incoherence—I've rarely seen American policy on such a wide scale on so many issues in such a vital region seem to be so incoherent. I'm still waiting to see what our strategy is in Libya or why we intervened. . . .

He goes on to say:

So we—we do, I think, need, as a country, to have the kind of discussion about the Middle East that we had about Soviet expansionism in the 1940s, and to try to work our way toward some kind of general bipartisan agreement or confidence in an analytical approach to really a very vital part of the world.

We are not close to that. We have a Presidential election going on, and people are making policies and statements based on the latest developments. It makes me uneasy.

Our policies have not resulted in containment and a reduction of extremism. Our policies have not resulted in improvement of conditions for the people in those countries or the security of the American people.

Statesmanship, as Henry Kissinger says, requires wisdom, insight, and a willingness of officials to understand the complexity and history and choices the nation faces, and then to provide leadership to the American people first that produces support for policies that may not seem clear or understandable or even positive at the time they are announced because the world is a complex place.

So, in conclusion, I am certain that the foreign policy of our Nation is too reactive. I am certain we have not adopted on a bipartisan basis a policy to confront Islamic extremism that provides direction for actions and can build confidence in our people and in our allies. I am certain this is a failure that must be remedied.

So let's get together, colleagues, and commit to developing a wise and sound strategy outside of the rush of daily politics, using the great insights and talents of people that are available to us. This Nation is fortunate to have persons of loyalty, experience in the Middle East, judgment, knowledge, and history, who can help us.

In its basic form, a good strategy must be simple and understandable to high officials and everyday Americans. This is not an impossible task. A good strategy will provide guidance and produce consistency in our policies over the long run. Importantly it will reduce the adverse impact of politics on our foreign powers. The American people will respond positively. I pledge to do my part in this effort. We have developed such strategies before. Most dramatic was the Kennan containment strategy, but there have been others—the Monroe Doctrine, other policies—and we can do it again.

I just think it is important to raise some additional concerns about where we are today. I think the President took unacceptable risks in going deeply into these negotiations. He went beyond the framework that President

Bush was using to talk with Iranians. The Iranians were in clear violation of a number of U.N. resolutions that restricted what we would do in our negotiations with them. We refused to participate with them. Both Secretary of Defense Ashton Carter and Secretary of State John Kerry have recently testified before Congress that Iran remains the No. 1 state sponsor of terrorism in the world, and they do not contend that releasing this money to them, hundreds of billions of dollars, which is being released on some sort of promise that they will cease to do that—they basically have said they are going to continue the same policies they have been advocating.

This is a terror-sponsoring State. Our own experts tell us that. Our own officials tell us that. It is very difficult to enter into any kind of negotiation with a person who sees you as a Great Satan, who says that Israel will not exist 25 years from now and must be eradicated from the Earth.

So these P5+1 negotiations did reverse cautious activities before, based on the fact that Iran was an outlaw State.

I will not continue to discuss this, other than to say that we entered into this, we have gotten down here to the end, and I think it is a mistake. I am going to vote no.

It looks as though it may somehow be processed anyway. If that occurs, it will create instability, even more so in the Middle East, and alarmingly will lead to the proliferation of nuclear weapons in multiple countries in the Middle East, each one of which, if their unstable governments fall, could allow nuclear weapons to fall into the hands of terrorists who can use them at any time or place around the world, creating all kinds of ramifications that are too grim to think about.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Maine.

Mr. KING. Mr. President, what is the status of the session at this point? Are we in a quorum call?

The PRESIDING OFFICER. We are not in a quorum call.

Mr. KING. I ask unanimous consent to address the Senate as in morning business for approximately 10 minutes.

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

GOVERNING IN THE SENATE

Mr. KING. Mr. President, one of the peculiar aspects of my service in this body is that I was sworn in as a U.S. Senator 40 years to the day from the day I entered Senate service as a staff member in January of 1973. Consequently, it has given me an interesting perspective about the operation of the Senate compared then and now.

I am sure that some part of my memory of working here in the early 1970s and mid-1970s is colored by the rosy view of nostalgia, looking back at one's youth and one's past; but, even correcting for that bit of nostalgia, it is

my observation that in those days we spent about 80 percent of our time governing and about 20 percent of our time on politics.

And there were plenty of politics. This was during the Watergate period. There was a Democratic Senate and Republican President. President Nixon resigned during the period I was here. It wasn't as if politics were not a part of our life, but the work of the government continued, and the governing, which was done by this body and the House of Representatives, continued even in an era of very intense politics in our Nation's history.

A friend asked me the other day: What is the difference between then and now?

I said: Well, in those days my recollection is that it was about 80 percent governing and 20 percent politics. Today it is reversed. It is 80 percent politics and 20 percent governing.

I want to talk a bit about governing. Probably our most fundamental responsibility after national security is a little matter of the Federal budget. It is something that we have to do every year. It is something that is in the Constitution. It is one of our most basic responsibilities. Yet here we are, 10 legislative days away from the end of the fiscal year with no budget, no appropriations bills that have been passed in both Houses, no conference committees, and as far as I can tell, no negotiations at the highest level in order to resolve what could be an impending shutdown of the U.S. Government.

In addition, we have the sequester facing us, which was designed to be stupid. It was designed to be so unacceptable to both sides of the political aisle that a solution would surely be found.

I remember being asked about it when I was running for this office in 2012. People said: Well, what do you think of this sequester that might happen next year? I said it will never happen because it is so unacceptable, both on the defense side and on the domestic side. Surely, Members of Congress will come together and find a compromise solution. That happened with the Murray-Ryan arrangement 2 years ago.

But here we are again, facing a potential shutdown. I don't have to enumerate the problems that creates: problems of national security, problems of the effect on the overall economy, problems of confidence and trust in the government itself. So here we are, and we are not governing when it comes to a budget.

The highway fund is an even worse embarrassment. We have patched the highway fund temporarily 34 times, most recently this summer. That expires in October. I have not heard a great deal of discussion about what the resolution of the highway fund is going to be, and I will make a bold prediction. Come October, there is going to be somebody who comes to this floor and says: We are close to a solution.

All we need is 2 more months. So let's extend it to January, and then we will solve the highway problem once and for all.

That doesn't pass the straight-face test. Here we are. We have the budget in 10 days, the highway fund in October, and we have the tax extenders, which last year we passed and they only affected 2 weeks of the year. Yet we expect American businesses to make plans, investments, and look ahead. They don't know what the Tax Code situation is going to be until the last 2 weeks of the year, and they have gotten to the point where they expect this: Well, OK, it looks like they are going to take care of it.

But that is not governing, and there is a cost to that and a cost to our economy. I have been in business, and I know that one of the most important things to a business is certainty, knowing what the rules are, knowing what the Tax Code is, knowing what the regulations are going to be. Business people can deal with regulations or tax policy.

The very difficult thing, however, is uncertainty. When you have uncertainty, you have a lack of confidence; and when you have a lack of confidence, you have a lack of investment; and when you have a lack of investment, you have a lack of jobs. I don't have the econometric analysis, but in my view the uncertainty, the instability, and the unpredictability of this body and of this institution has significantly put a damper on economic growth in this country.

I don't know whether it is half a point of GDP, a full point or a quarter point, but it is a lot because people don't feel they can have confidence in what the rules of the game are going to be.

To pass tax extenders for 2015 in the last 2 weeks of 2015 is just embarrassing. Oh, I think I said the highway fund was embarrassing. They are both embarrassing.

Then we have the Export-Import Bank, whose charter expired at the end of June. This is one I really don't understand. This is a government agency that is 70 years old or 80 years old, provides support to businesses across the country, including in my State of Maine with some very small businesses, and it fills a market niche that the private sector is not filling. It returns money to the Treasury, and it helps to create jobs in the United States. What is there not to like? For reasons that I can't discern, it tends to be something about ideology, because you don't want to have—heaven forbid there should be a government agency that works. So we better put it out of business. It is not making any more loans.

Yesterday General Electric, one of our most important national companies, announced the elimination of 500 jobs, including 84 jobs in Bangor, ME, because of the lack of the support provided by the Export-Import Bank. By

the way, every other industrialized nation in the world provides some level of support and encouragement for exports—except us as of June 30.

For a staff member for the financial services committee in the other body, which handles this, their comment about the 500 layoffs was this: Well, 500 jobs is a drop in the bucket for GE.

Eighty-four jobs is not a drop in the bucket for Bangor, ME. Those are families; those are real people. It makes a difference in our community, and it is ridiculous. If there were some policy reason for it, if there were some controversy, I could understand it. But to do it just because we don't like the idea of this agency, even though it is effective in its mission and returns money to the Treasury, just doesn't make any sense.

So the budget we are not doing; the highway fund we are not doing; the tax extenders we are not doing; the Export-Import Bank we are not doing.

What are we doing? We are spending another week on the issue of Iran, which we thoroughly debated and voted on last week. And I understand we may spend another 2 or 3 days on it next week for a series of amendments that can appear, to me, to be strictly designed to embarrass some Members of this body and to create fodder for 30-second ads a year from now. That is not governing. That is pure, unadulterated politics, and it is not dealing with the problems of this Nation.

We debated the Iran issue thoroughly. I have never worked so hard on a single issue in my life. We all had the entire recess to work on it, to think about it, to talk to people, and to read the agreement. Before the recess, there were innumerable hearings, briefings, and classified briefings. We have now had two identical votes.

Yesterday, one of my colleagues said: I feel like I am in "Groundhog Day." We are voting again on exactly the same issue. Now I understand we are going to have more votes.

I have never known an issue where every single Member of this body has expressed themselves on one side or the other. There is no question where anybody stands. Everybody has expressed themselves. Everybody has announced their position. One hundred Senators have announced their position.

I have to say a bit about 60 votes. To argue that this issue of such momentous import should not require 60 votes, when virtually everything else we have done around here since I have been in the Senate for the past 2½ years has required 60 votes, is just preposterous.

I remember standing on the floor a year ago hearing one of my colleagues on the other side of the aisle talking about some obscure amendment to some bill and saying: This amendment should be subjected to the normal 60-vote requirement.

And I said: Normal? When is it normal? Well, it has become normal. It was the rule for the last 2 years. Now,

suddenly, it was a bulwark of democracy. I remember talking about how should we modify the filibuster rule? No, we can't do that. The 60 votes is a bulwark of democracy. That protects the minority. That is built into the essence. That is what it is all about. Now, all of a sudden, it is not so important. People say: Well, this was a procedural vote, and you had a filibuster. How dare you filibuster?

Let me say, unequivocally, that the proponents of the Iran agreement are prepared to have an up-or-down vote on that agreement this afternoon as long as a 60-vote majority is part of the agreement about the vote. The only reason there was a 60-vote threshold on a filibuster motion, on a cloture motion, was so that the majority would not put that issue on the table—an up-or-down vote with a 60-vote margin. Yet everybody knew when this bill passed—when the Corker bill passed—that it was going to require 60 votes. Senator CORKER is on the record on the floor talking about this: Of course, it is going to require 60 votes. And even the famous letter to the Ayatollah in the second paragraph said: Of course, agreements like this are going to be subject to a three-fifths majority.

Everybody knew this was going to be 60 votes, and to express shock now reminds me of the end of "Casablanca," where the inspector says: I am shocked, shocked to see gambling here. I am shocked that there should be a 60-vote requirement.

But, of course, there is going to be a 60-vote requirement as there has been for every other substantive issue—and a lot of not so substantive issues—for the last 2½ years. Now we are going to start to vote, apparently, on other issues not in the Iran agreement: Bring home the hostages; recognize Israel. Those are desirable ends. I support them entirely, but that was not what this negotiation was all about.

This negotiation was to keep Iran from getting a nuclear weapon now. It was to roll back their nuclear program. That is what the negotiation was. It wasn't about the hostages. It wasn't about Israel. It wasn't about Iran's malign activities in the region.

One of my colleagues on the floor a few minutes ago said: Iran is a malign state, a rogue state. They are going to get money from the sanctions relief.

Yes, they are. But the only thing worse than a rogue State with money from the sanctions relief is a rogue State with money—as the sanctions erode—with nuclear weapons, and that is what this is all about.

When President Kennedy was negotiating with the Soviet Union to get the missiles out of Cuba, at the end of the negotiation he didn't say: By the way, Castro has to go—or you, Soviet Union, have to forswear your enmity to the West.

And, by the way, we have heard Iran say "Death to America," and the Soviet leadership said: "We will bury you." It is the same deal, the same

level of threat. But President Kennedy was focused on getting those missiles out. That was the threat, just as today the threat is to keep nuclear arms out of the hands of Iran, which we all agree is what we need to do.

We have debated Iran. We have taken two identical votes. The outcomes are the same. I predict the outcome will continue to be the same, and yet every minute we now spend on an issue that has been resolved is a minute that we don't spend on issues that need resolution: the budget, the highway fund, the debt limit, the Export-Import Bank, the tax extenders. That is governing, and that is what this body should be doing.

I hope my colleagues at some point in the very near future will decide that it is time to attend to those issues. And if we disagree with a policy decision that has been made, so be it. But we need to move forward and not continue to politicize an issue that, in my view, should not have been politicized in the first place. These are weighty and important issues. The Iran decision was the hardest that I have ever had to make, but I have made it. We voted. It is done. We need to move forward, and we need to move forward to meet the urgent needs of the people of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I rise to express my deep disappointment that what has transpired at the end of everything we debated with regard to the Iran deal is that we have chosen, as a body—a minority of this body—to filibuster the Iran agreement.

For weeks—weeks—we have been talking about how important this agreement is and how we have been debating it. As to my colleague from Maine, I agree with him. All of us put so much time and effort into studying it and how it is one of the most important foreign policy and national security issues that many of us—even Senators who have been here for 10, 20, 30 years—will ever debate, study, and vote on. That is all agreed to.

And what happened? Now we are filibustering that.

American foreign policy and our national security are strongest when the executive branch and the congressional-legislative branch work together. That is when America is its strongest. That is why our Constitution gives powers to both branches of government in terms of foreign policy and national security. Yet every step of the way on this Iran deal of the President, the President and his team have been dismissive of the role of the American people through their representatives in Congress.

You have to remember where we began, because the only reason the Iranians actually came to the table was because of the sanctions that this body—Democrats and Republicans—put on the Iranian regime—American-led

sanctions throughout the world. Two different administrations did this. Senator CORKER talked a lot about the role of the Congress today and how important that was. So we start these negotiations with Congress playing the critical role—drove Iran to the negotiating table—and then when we start negotiating, the President says: Nope, we are going to do this alone. We are going to go it alone. We do not need the Congress of the United States. We are going to do an executive agreement.

There was no involvement of the American people through their representatives in Congress to weigh in on one of the most important foreign policy issues in a generation. So this body acted. This body acted. Through the leadership of many Members on both sides of the aisle—Senator CORKER, Senator CARDIN—we passed legislation—98 Senators—that said: No, the Congress has a role. Congress should have a role.

Initially, the President said: I am going to veto that. We don't want you involved. I am going to veto that.

But this body came together and said: We want to be able to vote on this agreement. Our constituents want to be heard.

There were more affronts. The U.N. Security Council voted on this deal before Congress even started the debate on this deal. Again, Members of both parties, Democrats and Republicans, went to the administration—wrote the President, wrote Secretary Kerry—and said: Please do not do this. This would be an affront to the American people.

They did it anyway.

So now we have come to this moment. The U.N. Security Council and its member states have voted on the deal. The Iranian Parliament will need a majority vote to pass the deal, but the world's greatest deliberative body won't. On one of the biggest foreign policy and national security issues facing the United States, a partisan minority of the Senate has decided to take a pass on even voting up or down on the substance of this agreement.

Many of my colleagues have come to the floor over the last several weeks—both sides of the aisle—to explain why they are for or against the agreement. It has been a very good debate. People focused on this issue very intently. People of good will have a serious difference of opinion. I disagree profoundly with my colleagues on the other side of the aisle, but I respect them for explaining to the public why they are supporting a deal that so many Americans oppose and oppose intensely.

That has been one debate, but I am not sure I have seen any of my colleagues come to the floor to explain why they voted to filibuster a vote on the President's agreement with Iran; why they voted to deprive the American people of a right to be heard through their representatives in the Senate on the substance of the deal—not a procedural move but the sub-

stance of the deal; why they are letting the White House continually press to usurp their constitutional authority to weigh in and make foreign policy for our country; why they have done a 180-degree turn after voting for Corker-Cardin, saying that we need to vote on this, that the American people and their voices need to be heard on the substance of this deal, and then voting to stifle these same voices by supporting a filibuster.

I have been trying to see what the rationale of this is. Certainly there seems to be one where the White House says they should be doing this in order to spare the President the embarrassment of having to veto a bipartisan majority resolution of disapproval of the Iran deal. There are other press reports saying the filibuster happened to protect President Obama's legacy.

With due respect to the President, he will be gone—he will be moving on in a little over a year and a half—but the security implications of this dangerous deal will be something the American people—our kids and maybe even our grandkids—will be living with for years. This issue is much bigger than any so-called Obama legacy.

Today I have heard many of my colleagues come to the floor and say the agreement has already been voted on. I am a new Member of this body, but I am not sure that is exactly the case. The agreement has not been voted on. My colleagues have not held an up-or-down vote on this agreement. They are actually avoiding voting up or down on this agreement with their filibuster. They know it, and they should be clear on this point with the American people.

I think this body is making history during this debate. It appears that for the first time in U.S. history, an immensely important U.S. foreign policy agreement will move forward with a partisan minority of support in both Houses of Congress. For the first time in U.S. history on an agreement that is critical to our national security, the agreement will advance not on the basis of a vote on substance—a majority vote on substance—but on the basis of a filibuster, a procedural vote. And for the first time in U.S. history, the President of the United States sought the vote of foreign nations, including the world's largest state sponsor of terrorism, in approving and implementing a major foreign policy agreement and then fought the vote of the American people to weigh in on that same agreement.

Yes, the Senate is making history on the President's Iran deal, but it is not a history we should be proud of. It is history, I fear, that will be remembered for undermining our national security and the U.S. Constitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to supplement my remarks from last week with some insights from Alan

Dershowitz's book "The Case Against the Iran Deal." All of us received a copy of this last week. I read it last week.

Incidentally, Mr. Dershowitz has been a consultant to several Presidential commissions and has advised Presidents, U.N. officials, Prime Ministers, Governors, Senators, and Members of Congress. He has sold more than 1 million copies of his books worldwide in a dozen different languages, and he is a law professor emeritus at Harvard. He is an accomplished attorney and has been active in politics. I make that point because Mr. Dershowitz endorsed President Obama in 2008. So I think his comments might be particularly telling.

I want to start by discussing the point Mr. Dershowitz makes that I find the most intriguing. "The President is not the Commander in Chief of Foreign Policy." Mr. Dershowitz notes that the Constitution does not make the President Commander in Chief, period; rather, article II, section 2, clause 1 of the Constitution makes the President "Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into actual Service of the United States."

Mr. Dershowitz points out that this language does not make the President Commander in Chief for purposes of diplomatic negotiations, and his involvement in international diplomacy is as chief negotiator whose deliberations are subject to the checks and balances of the legislative and judicial branches. Specifically, Mr. Dershowitz writes that the President "cannot make a treaty without the approval of two-thirds of the Senate. He cannot appoint ambassadors without the consent of the Senate." And this is probably the most important one: "And he cannot terminate sanctions that were imposed by Congress without Congress changing the law. . . . Our Constitution separates the powers of government—the power to command—into three coequal branches." Mr. Dershowitz goes on to describe the President's actual constitutional role as the "head of the executive branch of our tripod government that stands on three equal legs."

I would remind my colleagues that this argument is being made by a prominent scholar on U.S. constitutional law.

This point reminds me of what a former colleague who carried a copy of the Constitution in his pocket said in June of 2004. When debating the 2004 Omnibus appropriations conference report, Senator Byrd said:

Why so deferential to presidents? Under the Constitution, we have three separate but equal branches of government. . . . How many of us know that the executive branch is but the equal of the legislative branch—not above it, not below it, but equal.

I wonder what the former Senator from West Virginia would think of the ways the President has sought to di-

minish the role of Congress with regard to the Iran deal.

According to Mr. Dershowitz, those actions include declaring the Iran agreement to be an "executive agreement" instead of a treaty or joint agreement, promising to veto any congressional rejection of the deal, agreeing to submit the deal to the U.N. Security Council before Congress considered it, trying to marginalize opponents of the deal as politically motivated, and describing the only alternatives to the deal as Iran quickly developing nuclear weapons or war with Iran.

Another discussion I found interesting in "The Case Against the Iran Deal" relates to the President's assertion that if we don't accept this deal with Iran, the only other option is war. Mr. Dershowitz argues that this "sort of thinking out loud empowers the Iranian negotiators to demand more and compromise less, because they believe—and have been told by American supporters of the deal—that the United States has no alternative but to agree to a deal that is acceptable to the Iranians."

He also writes that while numerous administration officials have said "no deal is better than a bad deal" with Iran, he views the United States as negotiating on the belief that the worst possible outcome would be no deal.

In addition, Mr. Dershowitz notes that "diplomacy is better than war, but bad diplomacy can cause bad wars" and points out that Israeli, French, Saudi, and other leaders have expressed concern "that the Iranian leadership is playing for time—that they want to make insignificant concessions in exchange for significant reductions in the sanctions that are crippling their economy."

That leads me to Israeli Prime Minister Benjamin Netanyahu's 2013 United Nations speech, which Mr. Dershowitz argues was distorted by the *New York Times*.

The Prime Minister said:

Last Friday, [Iranian President Hassan] Rohani assured us that in pursuit of its nuclear program, Iran—this is a quote—Iran has never chosen deceit and secrecy, never chosen deceit and secrecy. Well, in 2002 Iran was caught red-handed secretly building an underground centrifuge facility in Natanz. And then in 2009 Iran was again caught red-handed secretly building a huge underground nuclear facility for uranium enrichment in a mountain near Qom.

What strikes me about the Prime Minister's words is that they give us a clear picture of whom we are dealing with in Iran. And if we need more evidence, just last week Iran's Supreme Leader, Ayatollah Khamenei, predicted that Israel will not exist in 25 years and referred to the United States as the Great Satan. What level of trust can we have for this regime? Even if this agreement were a good deal for the United States, what makes us think Iran will abide by the terms of the deal? In other words, do you trust Iran? And to be clear, this is not a good deal.

As Mr. Dershowitz writes, "All reasonable, thinking people should understand that weakening the sanctions against Iran without demanding that they dismantle their nuclear weapons program is a prescription for disaster."

Mr. Dershowitz goes on to ask if we have learned nothing from North Korea and from Neville Chamberlain. For those in the Chamber who are not history buffs, let me explain how I interpret Mr. Dershowitz's question.

In 1994, the United States and North Korea agreed to a roadmap for the denuclearization of the Korean Peninsula. Several rounds of six-party talks were held between 2003 and 2009, but North Korea continues nuclear tests and ballistic missile launches. The President seems to be heading down a similar path with Iran.

As for Neville Chamberlain, he was the British Prime Minister when England entered World War II. He is best known for his policy of appeasing Germany in advance of World War II, signing the Munich Pact that gave part of then-Czechoslovakia to Germany. Hitler violated that pact and invaded Czechoslovakia, then Poland. Should we expect a stronger commitment to this deal from a country whose Supreme Leader refers to the United States as Satan?

How can Mr. Dershowitz label this deal as a prescription for disaster? He does so by pointing out the "enormous difference between a deal that merely delays Iran's development of a nuclear arsenal for a period of years and a deal that prevents Iran from ever developing a nuclear arsenal." Mr. Dershowitz says that if this deal is meant to prevent Iran from ever developing nuclear weapons, the President must clearly say so and the Iranians must agree with that interpretation. That has not happened.

How did we get to such a bad deal? Mr. Dershowitz says the first mistake was taking the military option off the table when the administration declared that they weren't militarily capable of ending Iran's nuclear weapons program. He says the second mistake was taking the current sanction regimen off the table by acknowledging that many of our partners would reduce or eliminate sanctions. Lastly, he says we took rejection of the deal off the table by indicating that rejecting a deal would be worse than accepting a questionable deal. Mr. Dershowitz writes that "these three concessions left our negotiators with little leverage and provided their Iranian counterparts with every incentive to demand more compromise from us." He adds that our negotiators "caved early and often because the Iranians knew we desperately need a deal to implement President Obama's world vision and enhance his legacy."

While this deal might implement the President's world vision in the near term, I question whether it will enhance his legacy because I do not think it makes the United States or the world more safe.

I am disappointed that the President didn't submit this deal to us as a treaty for our approval. I am disappointed that the minority has filibustered even allowing us to vote on disapproving the deal. I wish we had paid more attention to the fact that sanctions put in place by Congress have to be terminated by Congress, not by the President.

I urge all of my colleagues to read Mr. Dershowitz's book because I think it provides some invaluable insights and might change their thinking. I think we need a different outcome.

I thank the leader for the amendments he has put up that will make a difference. I think one of those should have been done before any negotiations, and that is that the American hostages be released. That would have been a good starting point. They should have walked away several times to show that the deal was in favor of Iran rather than the United States. It has to be some of the world's worst negotiating.

I hope everyone will read Mr. Dershowitz's book, "The Case Against the Iran Deal." We all got a copy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I come before the Senate to discuss the agreement that is being proposed between the United States, the other members of the P5+1 nations, and Iran with regard to Iran's capacity to build a nuclear weapon.

I strongly oppose this agreement for a number of different reasons. Before I get into the specifics of those reasons, I need to back up a little bit. About 2 years ago, I served on the banking committee. I don't think most people in America realize that the banking committee has jurisdiction over the sanctions legislation which deals with Iran and other sanctions legislation throughout the world.

Over the years, we have developed a very powerful and effective sanctions regime with regard to Iran. This regime involved not only the United States but the participation and agreement of nations around the globe, including sanctions that were followed by us through the United Nations.

Those sanctions—after having had four or five different versions of them, increasingly tightening them down—had worked very effectively to cause Iran to need to come to the negotiating table. I think most Americans realize that the reason Iran came to the negotiating table was the fact that our sanctions were working.

In fact, a couple of years ago, we had another version of new sanctions legislation to tighten down our sanctions even further and increase the leverage that the United States had on Iran in

order to try to cause Iran to not only come to the negotiating table but also to agree to stop development of a nuclear weapon.

At that time, the President asked the banking committee—I was the ranking member at the time—to pull back our proposed new sanctions legislation. He gave us his explanation, which is the fact that he wanted to open up new negotiations with Iran and did not want to cause an offense that would cause Iran to back away from the negotiating table. I disagreed at the time. In fact, my position was that if the United States wanted to go into negotiations, we should have Congress pushing for a new round of sanctions legislation so the President could say honestly and effectively to Iran that we needed to get a workable deal put together or we had a Congress that was ready to move forward with ever-increasing and more effective sanctions. Instead, the President said no. I understand that his party controlled the Senate at that point in time and we could not get the chairman at that point to agree to move the legislation forward, even though the chairman and I had worked together with the other sponsors of the legislation to develop it. At that time, it was my position that if the United States was going to withdraw its leverage through increasing sanctions legislation, that we should at least ask for some kind of a good-faith effort on the part of the Iranians as we were exercising the right to withdraw our sanctions legislation.

So it was my position that we at least should have asked for the release of our prisoners. Most Americans are aware that we have four political prisoners—at least four—in Iran today who are being wrongfully held. One of them, Pastor Saeed Abedini, is from Idaho. He has been held illegally in Iran now since 2012. In addition, we have Robert Levinson, who is a retired FBI agent, missing since 2007; Jason Rezaian from the Washington Post, a reporter, held since 2014; and Amir Hekmati, a former marine, who has been held since 2011. Yet the administration would not ask for the release of these prisoners as a token of good faith in return for starting the negotiations, even though we were willing to withdraw our efforts to impose new sanctions in an effort to start these negotiations. I felt that was a mistake from the outset. The United States gave up its leverage and refused to ask for a concession as we moved forward in these negotiations. Yet it has set a pattern for what has happened since.

Well, I think everyone knows the history from that time forward. We did engage in negotiations. It is important to note that at that time, the President assured—he assured us—that he would not enter into an agreement that would allow Iran to ever have a nuclear weapon and that we would have ironclad inspection and verification regimes in place to assure that.

So where are we today? We are now faced with an agreement that cements in place Iran's nuclear stockpiles, that

effectively allows Iran to develop a nuclear weapon over time, even if it complies with the agreement, and does not have any kind of an effective sanctions regime. I strongly oppose this agreement.

During the remainder of my remarks, I wish to go through four or five critical reasons Congress should reject this agreement. First, it does not prohibit Iran from obtaining a nuclear bomb. Second, it does not provide ironclad inspections and verification procedures. Third, it provides sanctions relief that is almost certain to result in increased terrorism around the globe. Fourth, it dangerously and needlessly lifts unrelated, nonnuclear embargoes. Fifth, it contains inexcusable and dangerous omissions. Finally, it will create instability in the Middle East and effectively a new regional arms race, dangerous to the entire world.

Let me go back through these. First, it does not prohibit Iran from obtaining a nuclear bomb. Even if Iran complies with the agreement, which it does not have a very good record of doing with regard to its agreements, it will still be able to develop a nuclear weapon. The agreement fails to roll back Iran's nuclear development program beyond a 1-year breakout period.

For 10 years, the agreement will only include IR-4, IR-5, IR-6, and IR-8 centrifuges. Now, this is getting into the weeds, but this is a level of centrifuge development that Iran has already been working on and engaging in. And the agreement says—and this is exactly from the agreement—"For 10 years will only include the IR-4, IR-5, IR-6, and IR-8 centrifuges as laid out in Annex 1." In other words, the only application of the agreement is to these centrifuges during a 10-year period.

During the 10 years, "Iran will continue testing IR-6 and IR-8 centrifuges, and will commence testing of up to 30 IR-6 and IR-8 centrifuges, as detailed in Annex I."

It does not dismantle any of its nuclear sites of concern, which are the sites at Arak, Natanz, and Fordow. None of them is dismantled. It recognizes Iran as a de facto nuclear state. And with all of the centrifuges that Iran now has, is it required to destroy them? No. It simply has to disconnect them and store them in another room. Iran is allowed to keep 6,000 centrifuges and 300 kilograms of uranium. Iran is allowed to conduct nuclear research and development during the terms of the agreement, and, in fact, amazingly the United States commits to assist Iran with its nuclear research and development in developing its own nuclear technology and infrastructure.

That is not even the end. One of the provisions of the agreement which I find most outrageous is that it requires the United States Government to oppose State and local sanctions against

Iran and amazingly to help “strengthen Iran’s ability to protect against, and respond to nuclear security threats, including sabotage, as well as to enable effective and sustainable nuclear security and physical protection systems.” In other words, if Iran develops nuclear weapons capacity, this seems to imply that the United States will need to help Iran protect its capacity.

I am sure the argument will be made that this is only to help Iran develop its peaceful nuclear weapons capacity, but the agreement isn’t clear. At a minimum, these kinds of things should have been made clear in the agreement.

So let’s look at the inspections. Assuming that Iran will comply with its one-sentence agreement that it will not build a nuclear bomb for 10 years, does the verification system that we have adopted prohibit that? Well, the agreement does not provide ironclad inspections and verification. I think Americans are increasingly becoming aware that not only do we not know what the inspection regime is, the United States does not participate in the inspection regime. The inspection is turned over to the United Nations. The IAEA, the committee under the United Nations that does these kinds of inspections, is in charge, and the IAEA has entered into side agreements with Iran that it will not disclose to the United States or any other country. Some of the information we are starting to see about it, if it is accurate—and we don’t know if it is accurate—but it seems to imply that Iran will not even allow the IAEA inspectors onsite. It is going to provide its own samples. These are concerns that are serious. Yet we cannot even confirm them, and Congress is being asked to deal with this issue without even having all of the agreement in front of us.

Moreover, as we move forward in this process, we have identified that the sites are identified as two different kinds. There are declared sites. Those are the ones that Iran admits exists. As to declared sites, Iran must first draw up a list and tell us what they are. We don’t have onsite inspection to determine that. As to undeclared sites, Iran is permitted to negotiate for at least 14 days for the IAEA to say we have a site that we think there is, but we are not sure, and Iran is allowed to negotiate whether there is such a site. If the IAEA and Iran cannot agree to a joint inspection of a suspected new site, then there can be further delays, taking up to 54 days before anybody would be able to take a look at these sites.

Again, we don’t know whether those persons then required to look at these sites will be Iranians showing the United Nations inspectors what they want them to see or whether they will be United Nations inspectors, but we are pretty sure we know they aren’t going to be U.S. inspectors.

The bottom line is that we have a very weak inspection regime that is almost certain to result in the same out-

comes we have seen for the last 10 years, as we have tried to inspect and monitor Iran’s development activities on its nuclear weapons.

That brings me to the third issue, which is sanctions relief. Iran does get major sanctions relief under this agreement. Iran is regarded as one of the top, if not the top, sponsors in the world of terrorism—the top state sponsor of international terrorism. Many have said Iran has been connected to hundreds of U.S. service personnel deaths in Iraq. Some say more Americans have died in Iraq because of Iranian state-sponsored terrorism and other activities than any other source.

We lift economic sanctions that we have been putting onto Iran. There is some debate about what the value of those sanctions are, but the estimate that I think is fair is approximately \$100 billion will be released to Iran very quickly under this agreement. Just by comparison, \$100 billion to Iran, in terms of the size of its economy, is approximately the same as \$4.25 trillion to the United States respecting our economy. It is about one-quarter of Iran’s economy. Those who say Iran will simply use these sanctions relief dollars in order to strengthen their economy ignore the reality that Iran today has a weak economy because of our sanctions and it is plowing money into sponsoring terrorism. There is no question that these dollars are going to result in an increased support of terrorism across the globe.

Next, the agreement dangerously and needlessly lifts unrelated, nonnuclear embargoes. As we were dealing with all of these issues I have just discussed as the negotiations were moving forward, at the very end we find out that in order to complete the deal, Iran and Russia introduced new unrelated issues that the administration willingly conceded to. We lifted the existing conventional weapons embargoes on Iran and we lifted the ballistic missile embargoes on Iran. Russia is already today going forward with selling advanced S-300 surface-to-air missiles to Iran, making future military action increasingly more difficult.

The next issue is that the agreement contains inexcusable and dangerous omissions. First, as I said at the outset, it does not free Pastor Abedini and the other Americans who are detained in Iran. Secondly, it does not recognize Israel’s right to exist. Third, it limits nuclear research for 10 years and frankly does not assure, as I have indicated earlier, that we don’t have violations of the agreement before 10 years.

It does not require an accounting of past nuclear weapons cheating by Iran, meaning it does not require them to disclose where their facilities are. It does not require disclosure of the military component of Iran’s nuclear program. What this means is that Iran has given us no information about its military facilities and has said that its military sites are off-limits. Now, where would we expect Iran to build a nuclear bomb?

It does not address Iran’s existing ballistic missile capacity, and it does not ban ballistic missile development. We don’t know what its capacity is and we no longer ban them from developing their capacity further. In fact, we have lifted the ballistic missile embargoes. The agreement does not require Iran to stop sponsoring international terrorism. The agreement is deficient in so many different ways.

Finally, the agreement creates instability in the Middle East and a new regional arms race. One hundred billion dollars is an immediate windfall to Iran, a portion of which the administration acknowledges will wind up in the hands of international terrorist groups targeting Americans and our allies. That money will be made available to Iran shortly.

Neighboring States have already said they are going to have to accelerate their own nuclear enrichment programs to counter Iran. Recognizing the new threats to Iran’s regional neighbors, the President himself wrote to Congress on September 2 to announce stepped-up security enhancement for our Middle East allies, further evidence that the agreement is destabilizing and requires increased military commitments in the region.

Having abandoned the “no notice” inspections requirement, the administration has agreed to permit a process for contested sites that could stretch for weeks or months before inspectors step a foot into the facility, if they are even able to do so at all. Some experts acknowledge that window is sufficient to hide or remove any kind of incriminating evidence of smaller illicit activities crucial to weapons development.

Other states in the region—Egypt and Saudi Arabia—have already signaled that they are going to embark on a nuclear weapons program, sparking a new arms race. The possibility of further instability in the Middle East does not serve our national security interests or give the American people comfort.

We cannot forget that Iran is a regime with a history of sponsoring terrorism against Americans and our allies and which continues to threaten the existence of Israel. This agreement changes the U.S. policy toward Iran but does very little, if anything, to change Iran’s aggressive nature.

The Iranian leaders have already renewed their threats to Israel, and continue to call the United States the Great Satan and have publicly rejected the administration’s hope that the agreement will lead to better cooperation with Iran.

So where are we?

The United States Senate passed legislation 98 to 1 saying that Congress should have a right to vote on this agreement. Twice already in these Senate Chambers within the last week we have tried to bring that legislation up only to face a filibuster that has stopped us from even being able to vote

on the agreement. Ninety-eight Senators voted to let Congress have a right to vote on this agreement, and 42 of them voted twice now in the last week to refuse to let us bring the agreement before the Senate to vote on it.

So today we are facing yet another effort. Today the issue before the Senate is a provision that would say the agreement cannot go into effect until Iran recognizes Israel's right to exist and until Iran frees the four political prisoners whom I identified. Once again we are facing a threat of a filibuster.

As I indicated, this agreement is dangerous. It is dangerous to the security interests of the United States. It is dangerous to the security interests of the world. It is destabilizing in the Middle East, and it contains very, very serious potential consequences for the future security of all Americans, and, frankly, of people throughout the world.

This is a critical time. This is a monumentally important decision, and I encourage all of my colleagues to let us simply bring the agreement forward for a vote. A critical issue such as this should not be stopped from even being brought forward for a vote in the Senate.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Thank you, Mr. President. I want to thank my colleague for his speech. I will be echoing a lot of the same points that he has made.

I think that it is a critical time. This is important. It is important for the young people around this country to know what kind of a future they are going to have, and I think he has lined it out very well, and this week, I think, will be critically important in terms of the decisions that we make as a country.

In May, the Senate passed the Iran Nuclear Agreement Review Act by a vote of 98 to 1. You don't see too many 98-to-1 votes in this Chamber. Sixty-six Senators cosponsored this legislation. The principal reason for this overwhelming bipartisan support was the desire to give Congress, the voice of the people, the opportunity to weigh in on the President's agreement with Iran.

We have been working together now for 4 months across the aisle to ensure that the opportunity for Congress to review this agreement comes forward. Yet I am severely disappointed, as my colleague expressed, that 42 of our colleagues have now voted twice to deny the Senate the ability to take a simple up-or-down vote on this very important resolution—a simple vote to say exactly how they feel, to make sure everybody in the country and in your State knows your opinion, and yet 42 of them are blocking that simple vote.

Iran's supreme leader said earlier this month that he expects Iran's parliament to vote on whether their country will approve the nuclear agreement. At the very least we should have that up-or-down vote. Certainly this

agreement is also worthy of this vote. Our constituents expect us to vote on this matter. Multiple national surveys have shown that the Iran nuclear agreement is opposed by either a plurality or a majority of the American people, and any support this agreement had, as you look at the national polling, is disintegrating.

A recent poll in my State shows that opponents of this deal outnumber supporters by a margin of 3 to 1. Yet I am not going to have the opportunity to vote my vote of disapproval of this agreement because of the obstructionism on the other side. In fact, when President Obama said that there was strong support for this deal among lawmakers and citizens, the Washington Post fact-checker awarded him three Pinocchios. We all know what Pinocchio was famous for, and that was the growing of his nose when he wasn't telling the truth. Three Pinocchios—that's a lot of skepticism about the President's statement.

There is bipartisan opposition to the Iran nuclear agreement in Congress, but only partisan and tepid support. Our colleagues in the House of Representatives voted last week on a resolution approving this agreement. That resolution received only 162 votes, all from the Democratic Party. There was opposition by 260 House Members, including 25 Democrats. Here in the Senate, more Democrats joined with Republicans to support moving forward on an up-or-down vote on this resolution of disapproval.

It is important to recognize the depth of bipartisan opposition to the President's agreement with Iran. Many of the Democrats who have been opposing this deal have tremendous experience in foreign policy matters. In the House of Representatives, the ranking member of the Foreign Affairs Committee, the ranking Democratic member of the Appropriations Committee and the ranking member on the Subcommittee on the Middle East and North Africa all voted against approving this agreement.

In the Senate, the former chairman of the Foreign Relations Committee and the committee's current ranking member are among the Democrats who oppose this agreement. They have joined Republicans on the floor in seeking an up-or-down vote on this agreement. The senior Democratic foreign policy leaders and every Republican in both chambers of Congress oppose this deal, and they have made their reasons clear.

The President's agreement fails to make America safer, quite frankly. It is not likely to eliminate Iran's path to a nuclear weapon, and the agreement will hurt the security situation that is rapidly deteriorating in the Middle East, especially in Israel.

We have not seen the two side agreements between the IAEA and Iran. We have not seen those. We don't know what is in them. We are supposed to have seen everything, and these side

agreements, we think, include important provisions about suspected Iranian nuclear sites. We already know that Iran will have the ability to delay inspectors' access to other sites for more than 3 weeks. We were supposed to get anytime, anywhere inspections. This benchmark falls severely short of that.

The combination of the cash from sanctions relief—anywhere from \$50 billion to \$150 billion, so I will go right in the middle and say \$100 billion—the end of the arms embargo in 5 years, the end of the international restrictions on Iran's ballistic missile program in 8 years will strengthen Iran's ability to cause trouble in the Middle East and around the world.

Think about this. I think about this—the country of Iran with another \$100 billion. Under the sanctions that have been imposed, Iran has expressed concern about the health and welfare of their people. Yet even under that sanctions domain they are still fomenting terror around the Middle East. What will they do with \$100 billion? I think it is pretty clear what their intentions will be.

International sanctions that have helped bring Iran to the negotiating table will be difficult to snap back into place in the event of violation of the agreement. Nothing snaps anywhere here in Washington, DC, and sanctions can't snap back, so that defies reason. This will lessen our leverage to ensure Iran's compliance.

Despite these serious flaws, it appears, based on the two failed cloture votes the Senate has taken thus far, that a partisan minority is prepared to thwart the bipartisan majority and move forward with the agreement.

Leader McCONNELL has filed an amendment that would block sanctions relief until Iran both recognizes Israel's right to exist and releases American political prisoners. While that amendment will not cure the flaws of Iran's agreement, it does represent commonsense policy that should receive overwhelming support.

Regardless of their views on the substance of a nuclear Iran, I think most Americans would agree that before we provide tens of billions of dollars in sanctions relief to Iran, the Iranian government should have to recognize Israel's right to exist and should release our four American political prisoners.

Just last week, as the Senate was debating the Iranian nuclear agreement, the Iranian leader posted on Twitter his view that Israel would not exist in 25 years. That underscores, again, what a serious problem Iran is to our most important ally, and that is Israel.

Even proponents of the nuclear agreement have recognized that Iran is likely to use at least some of the funds they received from sanctions relief to strengthen their military and continue to finance terrorism. If this windfall is going to be provided to Iran, then ensuring Iran recognizes Israel's right to exist is the least we would ask.

Equally important is securing the release of our four American political prisoners held by Iran. I get this question at home all the time. Why was this not part of the bargaining? Why were we not asking for the release of our Americans before we moved forward? Frankly, I don't think the administration answered that question, and I don't have the answer to that question. Tomorrow we will have the opportunity to express our wishes. We should not provide sanctions relief to Iran without the release of the hostages.

The Senate will have the opportunity to decide whether to move forward with the McConnell amendment tomorrow. Those who have prevented a vote on the merits of the nuclear agreement have it in their power to block a vote on the McConnell amendment as well, but let's be clear on what that would mean. If a minority of the Senate blocks a vote on the McConnell amendment, then they will allow the President to provide sanctions relief to Iran without securing Israel's right to exist and without the release of our Americans.

I believe the President's agreement with Iran should be rejected by the Senate, and we are going to have another opportunity to vote on cloture to allow the Senate to take a true up-or-down vote on that agreement. But even my colleagues who support the nuclear agreement should vote to protect Israel and bring our Americans home before providing that sanctions relief.

I hope our colleagues will reexamine their positions on cloture and allow the Senate to do what we have come here to do, to take the tough votes, to let people know how we feel, to show our commitment and our passion, and to have our voices and their voices heard.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

REFUGEE CRISIS

Mr. BLUMENTHAL. Mr. President, I am always a little more than awed and inspired to be here on the floor of the United States Senate, a place that my father never could have predicted that I would be when he came here in 1935, an immigrant, fleeing persecution in Germany at 17 years old with not much more than the shirt on his back, speaking no English, and knowing virtually no one. This country gave him a chance to succeed. This great country opened its arms to him, much as the Statue of Liberty did, when he entered this country through Ellis Island.

We are a nation of immigrants and of refugees. It has given us strength. Our diversity is what makes America the greatest, strongest country in the history of the world.

Sadly, the kind of displacement that caused him to come to this country is far from unprecedented. This country has opened its arms again and again and again, generation after generation, to provide for refugees displaced by war and oppression. Inhumane dictators,

territorial disputes, environmental degradation, all are contributing now more than ever to the largest refugee crisis since World War II.

We are going through a humanitarian crisis in this country. Part of it is due to the brutality and inhumanity of the Assad regime in Syria, the horrors unleashed by ISIL in Syria and Iraq. Neighboring countries have been overwhelmed by fleeing refugees.

During my Middle East trip in July 2013 with Senator MCCAIN and others, I visited a refugee camp in Jordan that houses many of these refugees and, since my visit, the situation has only worsened significantly.

Syria alone has produced an estimated 4 million registered refugees—those are the individual ones counted—in addition to the 7.6 million internally displaced people.

Turkey bears the brunt of this refugee crisis, housing nearly 2 million of them. Lebanon shelters over 1.1 million refugees, while Jordan has taken 600,000 or more, and Egypt recently exceeded the 130,000 mark.

These numbers are abstract. For every one of them, there is a human voice and a face. Many are children barely able to comprehend the fate that has befallen them. This year alone, Germany is expecting 800,000 asylum seekers, a marked increase from 626,000 in 2014 and 431,000 in 2013. Again, these numbers have impact on those countries, on their populations.

We met this morning with the Ambassadors of the European countries to hear about that impact on them and about their plans to do even more.

The Atlantic Ocean separates us from this crisis physically, but morally we have no separation at all. The destabilizing effect of that massive displacement ultimately affects us as well, our national security, and the stability of regions where we have a vital economic stake and a moral obligation.

I strongly support a policy of American generosity and humanitarian relief toward those refugees seeking to escape the untenable and unlivable conditions in Syria and Iraq. Exactly what steps this Nation should take will be a matter of contention and continuing debate, but clearly, we have obligations—moral obligations, self-interested obligations, economic obligations—to the men, women, and children who have walked hundreds of miles in search of safety and security and to the countries currently searching for ways to accommodate them.

Our obligation is multifaceted. First, we have provided \$4 billion in aid—which is real money—to countries where those refugees now live temporarily in camps. But humanitarian aid is desperately needed in greater amounts and rising magnitude in countries where refugees are flowing fast. Regional countries, including Turkey and Jordan, as well as the European Union, must be able to provide refugee camps that provide basic necessities for people to live, with adequate food,

water, shelter, clothing, education, and other elements of a safe and stable life for adults but also for children who can be seen running, laughing, playing in these camps in the most rudimentary of conditions.

The United States must show international leadership as well in ensuring the availability of resources from other nations that, frankly, have failed to meet the test of moral and political obligation. Saudi Arabia is one. The Gulf States are others. Our allies in this region must fulfill their obligation to do more and to do their part in assisting those fleeing war and bringing about a diplomatic resolution to the crisis. The absence of these nations from this challenge is reprehensible and regrettable. Ultimately, Syria must seek and achieve a resolution internally but, in the meantime, its neighbors have an obligation to do more.

I applaud the President's announcement that the United States will resettle approximately 10,000 Syrian refugees within our borders next year. As my colleague from Illinois, Senator DURBIN, has said this step is certainly in the right direction. But increasing the number of refugees coming here is an insufficient response alone if we fail to provide the expanded capacity and services that are necessary to effectively resettle and bring to this country refugees fleeing their homeland. Our focus should be on devising an effective program so that candidates for resettlement can have that hope without waiting years for assistance. Now, under the present system, they are waiting here.

In particular, I wish to cite a group of refugees that merits the special conscience and conviction of this Nation. They are the refugees—mostly women and young girls—who are victims of what the New York Times, in an extraordinary report, has called enshrining the theology of rape.

These girls and women have been enslaved. They are members of the Yazidi community. This New York Times report shows the systematic enslavement and rape of women and children held in the territory that ISIL controls. Approximately 5,000 Yazidis have been abducted by ISIL and 2,700 remain in captivity.

These reports, which are shocking and horrifying, challenge our conscience to do more. Nobody reading them can think of our daughters, the women in our family, without revulsion and shock. At the end of this week, several of my colleagues and I will be sending a letter to Secretary of State John Kerry urging him to take further action to help the Yazidis, the Christians, and other religious minorities who have been systematically kidnapped, enslaved, tortured, raped, and brutalized by ISIL simply because of their faith.

We talk a great deal on the floor in this body, in this building, and in this country about faith. The horror of this persecution calls to our conscience.

I am calling on the State Department to declare religious minorities as protected, priority groups, able to seek refugee assistance within Iraq's borders. As of now, the only Iraqis allowed to leave the country with assistance in this way are the people who have been affiliated with the U.S. Government during the war. That category should be expanded to include these refugees.

Second, I am calling on Secretary Kerry to improve the in-country processing for refugee claims in Iraq, specifically, the time required for that processing. The estimated time for Iraqis who served alongside U.S. military personnel is at the unacceptably high rate of 5 years to 8 years. This issue has been brought to me by numerous veterans—Iraq and Afghanistan veterans—who owe their lives, in some cases, to the service of these Iraqi and Afghan colleagues. Yet they wait there 5 to 10 years simply to be processed to come here. We must assure timely access to refugee assistance for both Iraqis affiliated with the U.S. Government and Iraqis within persecuted religious minorities such as the Yazidis and Christians. There is mounting, irrefutable evidence of that persecution on a scale that sometimes defies imagination and comprehension.

There are many ways the State Department can accelerate processing times: Double the number from 10 to 20 of in-country State Department personnel processing Iraqi refugees; consult with the Department of Homeland Security on the use of video interviews, consistent with security requirements, to be conducted in addition to the in-person interviews currently required; identify a nongovernmental organization to work with the U.S. Embassy to identify and screen religious minorities seeking refugee assistance in Erbil; and establish a facility in Erbil where the U.S. Government can conduct refugee processing. These steps are not particularly complicated or ingenuous; they are common sense.

The United States has a proud, moral tradition and heritage of aiding refugees. That tradition and heritage are epitomized by the Statue of Liberty and by Ellis Island. The Nation has not always lived up to the high standards that have been set for it by us. We are still very much a work in progress, and there are times in our history when we have failed the high test of morality.

But the Statue of Liberty stands tall at our harbor and embodies what is best about our Nation. We are a nation of immigrants truly because we welcome the tired and hungry, yearning to be free. We need to demonstrate the international leadership that has made us proud in the past to establish a new, inconclusive vision for Syria; to abate this refugee crisis; to provide a path for them to come here; and to provide them, consistent with our security, the opportunities that fathers, mothers, grandfathers and grandmothers had—going back in history, all of us have come here from somewhere else, or al-

most all of us—and humane and effective policies that help us to keep alive that great tradition and heritage, serving millions of people who are tired, weary, yearning to be free and seek that lamp beside the golden door.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 2043 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here today for the 111th time in my "Time to Wake Up" series urging this body to wake up to climate change. It is happening all around us, and it is happening right now, not in some distant future. The warnings of what is to come if we fail to act are sobering.

Congress has the ability and responsibility to change the course we are on, but we can't do it until Senate Republicans step up and start debating real solutions. Smart climate policy can align with conservative values—conservative values, such as prudence in the face of risks, protection of property rights and individual liberty, and market-based solutions for solving problems.

Senator SCHATZ and I have proposed a fee on carbon emissions, correcting a market failure that currently allows major emitters to pollute for free while forcing regular citizens to bear the physical and financial burden. Even if you are a tea-partier, why would you want a big special interest to be able to distort the energy market and make regular people pay the price for the harm they cause? Other than special interest politics, it makes no sense.

This market incentive would work. It would reduce emissions. A recent report on our bill shows it will reduce carbon emissions 45 percent by 2030, more than the President's Clean Power Plan does. It will also generate significant revenue—over \$2 trillion over 10 years—to return to taxpayers. With \$2 trillion, you can lower a lot of tax rates.

I hope our Republican colleagues will give this bill a serious look. Former Congressman Bob Inglis, a dyed-in-the-wool conservative, described our bill not as an olive branch, but as an olive limb we have offered to Republicans. Yet still in this Chamber, all we hear from Republicans is equivocation and denial when it comes to climate

change. We hear Republican Senators trumpet industry-backed reports that point to the costs of action, but ignore the terrible costs of inaction. They look at only one side of the ledger. If accountants did business that way, they would go to jail, but that is evidently good enough for Republicans in the climate debate.

We hear Senators using cherry-picked data. They will take a graph that goes up and down, up and down on an upward trend and pick a high spot and a later low spot, and from those two selected points, they will say: Aha. See, there is no increase.

An expert witness would be thrown out of court for that nonsense, but it is evidently good enough for Republicans for the climate debate.

We hear Senators ducking and dodging on this issue, exclaiming they are not scientists, but then they will not listen to what they are being told by the people who are scientists. We hear deniers denigrate scientists, ignore basic established science, and venture into loopy conspiracy theories about a great hoax, one that the United States military and every American national laboratory and NASA are all evidently in on. Seriously? And they say this with no shame for the smear it implies of some of our most reputable scientists. Again, that is good enough for Republicans in the climate debate, I guess.

We even had a Senator throw a snowball on the Senate floor because he thought the continued existence of snow here somehow disproved climate change. Truly. I did not make that up.

Meanwhile, what we see all around us shows us that this is happening. Simple, straightforward measurements show that the climate is changing around us.

One summary is the annual "State of the Climate" report by the National Oceanographic and Atmospheric Administration and the American Meteorological Society. The report reviews dozens of climate indicators—from ocean and air temperatures to extreme weather events. It doesn't get into forecasts or projections. It discusses what we are observing and measuring now. The "State of the Climate" report shows that 2014 was a benchmark year for the climate, and not in a good way. The article in Bloomberg News summarizing the report's findings was titled "The Freakish Year in Broken Climate Records."

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

Its author, Tom Randall, sums up the state of the climate with two words: "it's ugly." I have to agree. From record temperatures to record sea levels to changing weather to retreating glaciers, climate change is evident across an array of measurements and observations. We are watching our planet change before our very eyes.

Let's see what these measurements say.

Well, 2014 was another record year for global temperatures. NOAA and NASA both concluded that 2014 was the hottest year since recordkeeping began in 1880.

This chart shows where temperatures in 2014 were warmer than the 1981-to-2010 average, which is shown in red, and blue shows where the temperatures were cooler than average.

The eastern part of the United States and Canada was one of only a handful of places around the world that saw cooler-than-average temperatures. But while it was cool here in 2014, almost everywhere else in the world was feeling the heat. All you have to do is look at the data to see it. It is a massive sea of red.

And 2014 does not stand alone; 17 of the 18 hottest years in the historical record have occurred in the last 18 years. The past decade was warmer than the one before that, which was warmer than the one before that, and so far 2015 is on track to be even hotter than 2014. All of this is measurement and straightforward fact.

Of course, as humans, we don't experience annual average changes in temperature, we experience the weather, and we are beginning to see climate change affect weather patterns all over the world.

This chart shows the number of extreme warm days and the number of extreme cold nights since 1960. The number of hot days, as we can see, is climbing, and the number of cold nights is decreasing. Both are symptoms of a warming planet. This matters because those very warm days pose human health risks and can be downright dangerous for people who don't have air conditioning, especially for the young, old, and infirm. Extreme heat can stunt crops and drive down yields, and it can stress livestock and other animals.

Cool nights are important too. It is the cold nights of winter that help control the mountain pine beetle, ticks, and other pests. With fewer cold nights, the mountain pine beetle has wreaked havoc over the west in the past few years.

Last week, my colleagues on the Senate Climate Action Task Force and I heard from Dave Chadwick of the Montana Wildlife Federation about climate change effects on the Montana's hunting industry, with hunters going to their favorite spots and no longer seeing the game they used to see.

Jill Ryan, the commissioner in Eagle County, CO, told us they are already seeing fewer ski days in her Rocky Mountain community—not good for Colorado's iconic ski industry.

In Maine and New Hampshire, out-of-control tick populations are attacking the region's iconic moose. A single moose might now carry tens of thousands of ticks. It is sickening to see, and it is no good for the New Hampshire moose-watching industry. Yes, people actually do that. Between mud and snowmobile trails and fewer, sick-

er, tick-encrusted moose, it ain't looking good.

This chart shows how much water various glaciers around the world have lost each year since 1980. Last year the melting was equivalent to each glacier losing 33 inches right off the top. Look at these losses—31 consecutive years in a row of loss.

Last year's melt continues a sobering trend of heavier and heavier losses. The red line here shows the total amount of ice loss since 1980. It shows that glacial ice loss has been accelerated. Average losses were about 9 inches in the 1980s, 15 inches in the 1990s, and 29 inches in the 2000s. Again, this is measurement, folks, not conjecture.

The oceans are warming. Why? Well, it is simple. As greenhouse gases trap heat in the atmosphere, the heat is absorbed by the oceans. Over 90 percent of the excess heat from greenhouse gases that has been trapped has actually gone into the oceans, and 4 out of 5 analyses say that the heat in the upper ocean set a record high in 2014.

These data show the decades-long warming of the surface oceans. Colleagues who still insist that the climate has not warmed in the past couple of decades—look at the oceans, that's where the heat went. This warming is changing the oceans and changing our fisheries and, because of the law of thermal expansion, contributing to sea-level rise.

In 2014, global sea level was at its highest point since we began measuring it with satellites in 1993, which is shown on the chart.

In 2014, we saw the sea level continuing to rise at a rate of about $\frac{1}{8}$ of an inch per year. We measure this in Rhode Island. Sea level at the Newport Naval Station has increased almost 10 inches since the 1930s. This matters when you have storms riding in on higher seas and tearing away our Rhode Island coastline. Sea level rise matters a lot to my constituents.

Measurements are confirming what the scientists have predicted: The seas are rising because the oceans are warming and ice on land is melting. The climate is warming because greenhouse gases are trapping heat from the Sun in the atmosphere.

Again, these are irrefutable facts, confirmed by experts and scientific organizations and big corporations such as Walmart. Here is the reason. The main culprit behind the changes we are observing is carbon dioxide building up in the atmosphere, which in 2014 reached record levels. The global average exceeded 400 parts per million in 2014. In context, for as long as human beings have been on the planet, it has been between about 170 and 300. For our whole duration as a species, that has been the range. Now we are out of it by over 400 and climbing. The global carbon dioxide levels haven't been this high in human experience.

Where are we headed in 2015? Well, these trends are likely continuing. Scientists are already predicting that 2015

will eclipse 2014 in the record books for global temperature change. In 2015 we can expect that the temperatures will continue to go up, the seas will continue to rise, and glaciers will continue to melt. It won't stop unless we choose to stop what is causing it.

We know our binge of carbon pollution is driving these changes. May I say that today a news report has come out that shows one of the biggest carbon polluters of all, ExxonMobil, knows that our binge of carbon pollution is driving these changes and spent decades covering up what they knew with a fusillade of lies that they launched to try to continue to sell their product. This is what folks who are engaged in climate denial are buying into—a campaign of lies from a fossil fuel company, ExxonMobil, that itself knows better. I will have more on that story later.

We can't just keep our heads buried in the sand. We have to wake up. We have to wake up to the facts, and we have to wake up to our duty.

I appreciate the patience of my friend the Senator from Utah.

With that, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE FREAKISH YEAR IN BROKEN CLIMATE RECORDS

(By Tom Randall, July 17, 2015)

STATE OF THE CLIMATE: BROKEN

The annual State of the Climate report is out, and it's ugly. Record heat, record sea levels, more hot days and fewer cool nights, surging cyclones, unprecedented pollution, and rapidly diminishing glaciers.

The U.S. National Oceanic and Atmospheric Administration (NOAA) issues a report each year compiling the latest data gathered by 413 scientists from around the world. It's 288 pages, but we'll save you some time. Here's a review, in six charts, of some of the climate highlights from 2014.

TEMPERATURES SET A NEW RECORD

It's getting hot out there. Four independent data sets show that last year was the hottest in 135 years of modern record keeping. The map above shows temperature departure from the norm. The eastern half of North America was one of the few cool spots on the planet.

SEA LEVELS ALSO SURGE TO A RECORD

The global mean sea level continued to rise, keeping pace with a trend of 3.2 millimeters per year over the last two decades. The global satellite record goes back only to 1993, but the trend is clear and consistent. Rising tides are one of the most physically destructive aspects of climate change. Eight of the world's 10 largest cities are near a coast, and 40 percent of the U.S. population lives in coastal areas, where the risk of flooding and erosion continues to rise.

GLACIERS RETREAT FOR THE 31ST CONSECUTIVE YEAR

Data from more than three dozen mountain glaciers show that 2014 was the 31st straight year of glacier ice loss worldwide. The consistent retreat of glaciers is considered one of the clearest signals of global warming. Most alarming: The rate of loss is accelerating over time.

THERE ARE MORE HOT DAYS AND FEWER COOL NIGHTS

Climate change doesn't just increase the average temperature—it also increases the

extremes. The chart above shows when daily high temperatures max out above the 90th percentile and nightly lows fall below the lowest 10th percentile. The measures were near their global records last year, and the trend is consistently miserable.

RECORD GREENHOUSE GASES FILL THE
ATMOSPHERE

By burning fossil fuels, humans have cranked up concentrations of carbon dioxide in the atmosphere by more than 40 percent since the Industrial Revolution. Carbon dioxide, the most important greenhouse gas, reached a concentration of 400 parts per million for the first time in May 2013. Soon we'll stop seeing concentrations that low ever again.

The data shown are from the Mauna Loa Observatory in Hawaii. Data collection was started there by C. David Keeling of the Scripps Institution of Oceanography in March 1958. This chart is commonly referred to as the Keeling curve.

THE OCEANS ABSORB CRAZY AMOUNTS OF HEAT

The oceans store and release heat on a massive scale. Over shorter spans of years to decades, ocean temperatures naturally fluctuate from climate patterns like El Niño and what's known as the Pacific Decadal Oscillation. Longer term, oceans are absorbing even more global warming than the surface of the planet, contributing to rising seas, melting glaciers, and dying coral reefs and fish populations.

In 2015 the world has moved into an El Niño warming pattern in the Pacific Ocean. El Niño phases release some of the ocean's stored heat into the atmosphere, causing weather shifts around the world. This El Niño hasn't peaked yet, but by some measures it's already the most extreme ever recorded for this time of year and could lead 2015 to break even more records than last year.

The PRESIDING OFFICER. The Senator from Utah.

PLANNED PARENTHOOD

Mr. LEE. Mr. President, last week I began a thorough examination of the facts in the case of Planned Parenthood and the scandal that is now engulfing our Nation's largest provider of abortions. Today I wish to review briefly the evidence against Planned Parenthood—evidence brought to light thanks to whistleblowers and the conscientious journalists working with an organization called the Center for Medical Progress.

After hearing that Planned Parenthood, in addition to performing almost 1,000 abortions every single day, was also selling the organs and body parts of its victims, CMP began investigating. CMP's investigation, which it calls the Human Capital Project, lasted for more than 2 years. Its findings have finally been published over the last few months in the form of a series of video documentaries posted on the Internet consisting mostly of interviews and undercover reporting of Planned Parenthood officials and facilities.

The videos have sparked debate and controversy and have thrown the abortion industry and its political clients back on their heels. But thanks to an indefensible coverage blackout in the pro-abortion mainstream media, most Americans have never even heard of, much less seen, these videos. Based on the vote the Senate took last month,

and in particular based on the lack of substance coming from the other side of the aisle during that debate, it is a good bet that most of our colleagues defending Planned Parenthood haven't seen those videos, either. So I thought it might do some good to at least get the facts into the CONGRESSIONAL RECORD before we move forward.

To date, 10 of the expected 12 videos have been posted on the home page for the Center for Medical Progress. The first video was posted on July 14 and showed a luncheon meeting between CMP investigators posing as corporate buyers of fetal organs and Planned Parenthood's senior director of medical services. In the course of this business lunch, we learn from the senior Planned Parenthood official's own words that Planned Parenthood clinics traffic in the body parts of aborted children as a matter of routine; that Planned Parenthood keeps these transactions at the local franchise level for legal reasons that appear to be designed to sidestep corporate liability; that Planned Parenthood's abortionists may alter their surgical procedures—allegedly after consent forms have been signed—so as to maximize the organ harvest from unborn children. This was the infamous moment when we learned that Planned Parenthood doctors can “crush below” and “crush above” a baby's most lucrative parts. Finally, we learned that such alterations may involve performing dangerous and illegal partial-birth abortions.

These revelations by themselves—in and of themselves, all by themselves—shock the conscience, but they were only the beginning. In the Center for Medical Progress's second video released on July 21, we witness another undercover business lunch with investigators again posing as corporate organ buyers, this time with the president of Planned Parenthood's Medical Director's Council. What we see in this video, contrary to Planned Parenthood's protestations, is without question a financial negotiation about the price of baby organs. They are not talking about compensating Planned Parenthood for procurement and delivery costs; no, they are haggling. As the official herself, a medical doctor, jokes at one point, “I want a Lamborghini.”

In another video released August 4, the vice president and medical director of Planned Parenthood of the Rocky Mountains is seen not only discussing exactly this kind of market pricing but the need to conceal such transactions through message discipline. Here we learn that Planned Parenthood physicians do indeed alter their surgical procedures “in a way that they get the best specimens”—that is, not to serve their patients but to maximize their sales numbers—because, as this vice president boasts, “My department contributes so much to the bottom line of our organization.”

Subsequent videos have only corroborated these allegations. From the CEO

of StemExpress, a major corporate buyer of fetal body parts, we learned that, yes, the price of fetal tissue is driven by supply and demand, not just cost reimbursements. And sometimes this market goes beyond organs and tissue and actually traffics in whole unborn children.

From a fetal tissue producer, we learned that sometimes babies are born alive and are killed outside the womb because, she says, it just fell out. Just this week, a new video showed a Planned Parenthood official admitting that some abortion clinics “generate a fair amount of income selling baby organs.” And these are just the undercover videos.

Other videos feature the heart-wrenching testimony of a former StemExpress employee who tells the harrowing stories of her work inside Planned Parenthood clinics. She tells not only of the screaming and crying of the patients but also witnessing unethical behavior by the medical staff. And, yes, the videos also contain horrifying, behind-the-scenes images at Planned Parenthood centers where the exploitation, butchering, and violence are worse than anything one can imagine. The images and stories will pierce the heart of anyone who has a child or has ever been one. But that is exactly why we must watch these videos. For those who don't already know what abortion clinics are like and what they do, these videos must be seen to be believed.

For anyone who has ever wondered why so many Members of Congress, so many citizens want to transfer taxpayer funding of abortion clinics to safe community health centers that actually practice life-preserving medicine as proposed in the bill recently introduced by Senator ERNST, watch these videos and you will know. Watch these videos and you will understand.

Every new video brings further corroboration not simply of particular instances of blood-chilling behavior but of what appears to be a pattern and practice of endangering vulnerable women by manipulating surgical procedures after consent forms have already been signed to perform abortions in a “less crunchy” way, for purposes not of women's health but greed; to harvest organs from aborted children and sell them to corporate purchasers; and to conduct this grisly business in secret to avoid public detection and outrage and, quite possibly, criminal indictment—yes, indictment.

That—the potential crimes of the abortion industry evidenced in these videos—will be the topic of my next speech on this scandal, for the behavior documented by the Center for Medical Progress is not just stomach-turning—it is that, to be sure, but it may well also be illegal, violating not only the moral laws of nature and of nature's God, which we already knew, but also the criminal laws of the United States of America.

I would encourage my colleagues and all Americans to view these videos for themselves so that they, too, can judge

for themselves. We should all be warned: The videos are as difficult to watch as they are easy to find, but the price of self-government is self-awareness.

The American people need to know the truth about what actually goes on in America's abortion clinics, what lies are being told, and what crimes are being committed in their name and with their own money. The truth about human life and dignity has the power to set us all free, but first, we have to tell it.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, last week, I spoke about Senate Republicans' virtual shutdown of the judicial nominations process since they took over the majority. Their refusal to respond to the urgent needs of our independent third branch is threatening to harm our justice system and rob the judiciary of outstanding public servants.

One glaring example of this harm is the unnecessary delay of Judge Luis Felipe Restrepo, who was nominated last year to fill an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. Judge Restrepo was unanimously confirmed 2 years ago by the Senate to serve as a district court judge. During his tenure as both a Federal district court judge and as a Federal magistrate judge, he has presided over 56 trials that have gone to verdict or judgment. He is superbly qualified, and I have heard no objection to his nomination. Despite his outstanding credentials and experience, it took the Republican majority 7 months just to schedule a hearing in the Judiciary Committee for this qualified nominee.

Judge Restrepo has bipartisan support from both Pennsylvania Senators and was voted out of the Judiciary Committee unanimously by voice vote. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit. He has the strong endorsement of the nonpartisan Hispanic National Bar Association. At his confirmation hearing in June, Senator TOOMEY stated that "there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit." Senator TOOMEY described Judge Restrepo's life story as

"an American Dream" and recounted how Judge Restrepo came to the United States from Colombia and rose to the top of his profession by "virtue of his hard work, his intellect, his integrity." I could not agree more.

Given his remarkable credentials, wealth of experience, and strong bipartisan support, you would think the Senate would have confirmed Judge Restrepo months ago. Instead, he was nominated for a judicial emergency vacancy back in November 2014, and for 10 months since his nomination, he has been denied a vote on his confirmation. No Senate Democrat opposes a vote on his nomination. The only ones who are holding up his nomination are the Senate Republicans. I have heard Senator TOOMEY indicate his strong support, and that he would like to see Judge Restrepo receive a vote. I know Senator TOOMEY can be a fierce advocate for issues he cares passionately about, and I hope he will get a firm commitment from the majority leader to schedule a confirmation vote this week.

In addition to Judge Restrepo's nomination, there are 12 other noncontroversial judicial nominees pending on the Executive Calendar waiting for a vote. All of them were approved by voice vote by the Judiciary Committee. There is no reason for Republicans to block these nominees. More than 8 months into this new year, Republican leadership has allowed votes on just six judicial nominees. By this time in 2007, when I was chairman of the Judiciary Committee, we had confirmed 29 judges nominated by President Bush. That is nearly five times more nominees than what this Republican majority has accomplished so far this year. Because of the Republicans' virtual shutdown of the confirmation process, judicial vacancies have increased by more than 50 percent—from 43 to 67. This demonstrates an astounding neglect of the needs of our independent Third Branch.

Instead of confirming Judge Restrepo and the 12 other noncontroversial judicial nominees on the Executive Calendar, Republicans are talking about another doomed vote on harmful legislation to block women's health care choices. Republicans had already forced a failed "show vote" to defund critical health services for women, spending 2 days on that unnecessary political exercise. Although Senate Republicans campaigned last year on the promise that they would govern responsibly if they won the majority, they continue to prioritize divisive issues that play only to their political base and yield no results for the American people.

I am urging Republican leadership to reverse course. Confirm Judge Luis Felipe Restrepo without further delay, and then confirm the other 12 noncontroversial judicial nominees pending on our Executive Calendar.

IMMIGRATION REFORM

Mr. LEAHY. Mr. President, the United States has a proud and unique history as a nation of immigrants. Ever since our founding, we have been a beacon of hope for those seeking opportunity. Generation after generation, our Nation has greatly benefited from the entrepreneurial spirit that these newcomers bring with them. That is as true today as it was 200 years ago.

Our Nation's history with immigration has not always been a story of acceptance. Newcomers have often faced resistance, isolation, discrimination and even racist opposition. Many of us here in this body know those painful stories from our own immigrant families—others here have felt the stinging words of bigotry themselves. My grandparents faced signs telling them to not bother applying for work because of their ancestry but those old stories are hard to imagine today.

That is why it is so shocking to hear the steady rise in racist, xenophobic rhetoric coming from the Republican field of Presidential candidates. These statements are offensive and have no place in our national dialogue. Those who use such rhetoric are fear mongering for political gain. Even in today's hyped up political theater, this kind of language is unacceptable. It is hurtful, harmful, and just plain wrong.

It is incumbent on all of us to speak out against this dehumanizing discourse. A topic as important as immigration is worthy of debate, but in an informed and thoughtful manner. This weekend, Steve Case, a co-founder of America Online, took a powerful stand in an opinion piece in the Washington Post titled "Business Leaders Must Speak Out Against Trump's Anti-Immigrant Rhetoric." Two years ago, as chairman of the Senate Judiciary Committee, I invited Mr. Case to testify before the committee when we were considering comprehensive immigration reform, and he has continued to be a leader on the issue. He is right to stand up, speak out, and call on all Americans to reject the ugly words we are hearing from too many political actors on one of the most pressing matters facing our country.

The growing partisan rhetoric that attempts to equate immigrants with criminals and suggests we deport them en masse is both irrational and dangerous. It is time that they stop. The characterization of immigrants as criminals here to harm us and our communities is not just beneath the dignity of anyone who seeks to lead this Nation as President, it simply is not supported by the evidence. Anyone who listened to the extensive testimony that the Senate Judiciary Committee collected 2 years ago will know that immigrants commit crimes at lower rates than those born in the United States. Many become job producers and the vast majority are hard-working members of our communities who support our economy and strengthen our neighborhoods. No less than Grover