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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who sustains our universe by Your boundless power, preserve our Senators with Your goodness, and rule them with Your justice. Lord, we cast ourselves entirely upon Your faithfulness, for You are the source of every blessing.

Stabilize our lawmakers in the midst of the contradictions of reality. Grant that they will be able to make sense out of life's complexities. Lord, help our legislators know the constancy of Your presence and the certainty of Your judgment as You guide them with Your higher wisdom.

We pray in Your generous Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute as in morning business.

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

PARKLAND SHOOTING ANNIVERSARY

Mr. GRASSLEY. Madam President, this Friday marks the 2-year anniversary of the shooting at the school in Parkland, FL, where 17 innocent lives were lost at the hands of evil. We will never forget that tragic moment and day.

I am dedicated to keeping weapons from dangerous people. That is why I have introduced the EAGLES Act over the past 2 years. This bipartisan, bicameral bill reauthorizes and expands the leading center in threat assessment and prevention. This bill is a tribute to the victims and the families.

Also, the Justice Department still hasn't provided to Congress its report on the shooting. I hope the Department of Justice will get off the stick. It owes it to the families to get this report done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

FORT KNOX

Mr. McCONNELL. Madam President, yesterday, the U.S. Army and the Commonwealth of Kentucky both received some really great news.

Secretary of the Army Ryan McCarthy and Army Chief of Staff GEN James McConville announced that Fort Knox will be the headquarters for the new Army Corps. They stopped by my office last night to discuss the good news.

The new Fifth Corps will support U.S. forces and operations in Europe, helping fulfill requirements of the national defense strategy. It is expected to bring more than 600 additional soldiers to Fort Knox.

Along with Congressman BRETT GUTHRIE and Senator PAUL, I had urged

Army leadership to select Fort Knox for this new corps headquarters, and, obviously, we think they made a great choice.

Now Fifth Corps will join the eight commands already stationed there, including the Army's Human Resources, Recruiting, and Cadet Commands. I have worked for years to help ensure that Fort Knox receives the national attention that it deserves.

It is really great to see the Army agrees that its high-quality facilities are perfect for this new headquarters. The extraordinary work of the Knox Regional Development Alliance has made it a wonderful place both to live and to work—both for servicemembers and for their families.

Last year I was proud to host Defense Secretary Mark Esper in Kentucky to meet with members of the Fort Knox community. I am certainly grateful to him, Secretary McCarthy, and General McConville for recognizing our potential.

WAR POWERS RESOLUTION

Mr. McCONNELL. Madam President, on another matter, today, the Senate will consider a War Powers Resolution offered by the junior Senator from Virginia. Our colleague's resolution is deeply flawed on a number of levels.

As I explained yesterday, it is too blunt and too broad. It is also an abuse of the War Powers Act, which was designed to strike a balance between the President's constitutional war powers and Congress's own war powers and oversight responsibilities.

Some of us believe the War Powers Act went too far in undermining the separation of powers and infringing upon the authorities of the Commander in Chief. But apart from that debate, everyone should acknowledge that it was designed to stop Vietnams—the deployment of thousands of troops into sustained combat without congressional authorization, not the one-off

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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uses of limited force that Presidents have carried out literally for centuries.

Until recently, most in this body recognized the need for Presidents to have flexibility with respect to the threat of military force. They saw the deterrent effect and diplomatic utility of keeping our options open.

During President Obama's tenure, Democrats said frequently that when it comes to Iran, we should never take the military option off the table. But now they seek to use this privileged resolution to do precisely that.

The collateral institutional damage of this action would fall on our military. Its ability to operate quickly and adaptively to emerging threats would be jeopardized.

Colleagues, if you want to take the truly significant step of preemptively taking options off the table for defending our troops, if you really want to remove troops from Syria or Iraq altogether, why don't you just be honest about it and make your case? Find 60 votes to pass legislation. Find 67 votes to override a Presidential veto. Don't use a blunt and imprecise War Powers Resolution to end-run around the constitutional structures that make this a difficult proposition by design.

There is no ongoing, protracted combat with respect to Iran. Our troops are not mired in unending hostilities. The War Powers Act aims to impose a 60-day clock on combat operations. The strike that killed Soleimani took maybe 60 seconds. Let me say that again. The strike took about 60 seconds.

Clearly, this is the wrong tool for this subject.

We have just come through an impeachment trial because House Democrats rushed to use this serious tool as a political weapon of first resort rather than patiently conducting more normal oversight using the more normal tools that Congresses of both parties typically use. No patience for ordinary oversight—just rush to grab the bluntest tool available to make a political statement against the President. Well, this war powers debate bears an eerie resemblance to that pattern.

To listen to some of the advocates of Senator KAINE's resolution, you would think that sweeping resolutions like this were the only means available to Senators to express any discomfort with White House foreign policy. Of course that isn't so.

If Senators' priority is genuine oversight, there are countless tools in their toolbox. They can hold hearings. They can engage the administration directly. They can ask questions and raise issues they feel were not sufficiently addressed in interagency deliberations.

Instead, like impeachment, this War Powers Resolution cuts short that interplay between the branches. It short-circuits the thoughtful deliberation and debate. It is a dangerously overbroad resolution that should not pass Congress and is certain to be ve-

toed if it does. If my colleagues want to make a real difference, this is not the way to go.

The amendments my Republican colleagues and I have filed expose the shortcomings and unintended risks of this approach.

Senator KAINE has drafted a rule of construction that tries to provide an exception allowing U.S. troops to defend themselves against an attack if it is "imminent." My amendment exposes the absurdity of this by simply removing the word "imminent."

How imminent, exactly, is imminent enough? When do our men and women in uniform get to defend themselves? I would like to know. Should our servicemembers need to sit on intelligence until an attack is a week away? A day away? An hour away? Until they see the whites of the enemy's eyes?

And who makes the determination about imminence? Five hundred thirty-five Members of Congress? The President? A Pentagon lawyer? A battlefield commander? Some young private?

This resolution imposes a new constraint on the military without answering any of those questions.

If we have intelligence warning that an enemy is planning to attack our forces, can we not disrupt the plot until the attack is almost underway?

Senators COTTON, ROUNDS, and SULLIVAN have also filed amendments. They propose sensible additions to give our troops and their commanders more confidence we aren't trying to tie their hands against precisely the threat they might face if Iran were again to become emboldened enough to attack us—oh, and to make sure we can defend our diplomats and Embassies, too, if they were to face renewed threats.

So clearly this resolution is not ready for prime time. I believe it is just an effort to broadcast a political message, but even that message can be harmful to our troops and to our national security.

So what message will the Senate send to American servicemembers? Should they doubt whether their own leaders are authorized to defend them? What message should we send to our regional allies and partners? Can they count on continued solidarity from the United States? What would it say to real great-power competitors like Russia and China if we cannot even remain united in the face of a lesser challenge, such as Iran?

Let's send the right message with our vote. Let's defeat this misguided resolution.

MEASURE PLACED ON THE CALENDAR—S. 3275

Mr. McCONNELL. Madam President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:
A bill (S. 3275) to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes

Mr. McCONNELL. Madam President, in order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska.

The PRESIDING OFFICER. The Senator from Illinois.

WAR POWERS RESOLUTION

Mr. DURBIN. Madam President, last week the Senate concluded the impeachment proceeding. I heard one of my colleagues say it is the most serious thing that the U.S. Senate has the constitutional authority to do. That argument can be made, but I would disagree.

I think the most serious thing we are assigned under the Constitution is the declaration of war because, you see, it isn't just a matter of the political fate of any individual; it is the matter of the lives of many good people in America who serve in our Armed Forces, who may be in danger if we decide to go to war. Even under the best circumstances, a quick and effective war can lead to the deaths of brave and innocent Americans who are simply serving their country. That is why the comments made by the majority leader this morning need to be responded to.

His suggestion that Senator KAINE's War Powers Resolution is a mistake, I think, really ignores the obvious. It has been 18 years—almost 18 years—since Congress and the Senate had an active debate about the United States engaging in war. I remember that debate in 2002 very well because it was a debate that consumed the attention of the Senate, the House, and the Nation over whether we would invade Iraq and whether we would invade Afghanistan.

Most of us remember the argument made by the Bush administration for the invasion of Iraq. We were told there were weapons of mass destruction in that country that could threaten the

neighbors of Iraq, our allies, and even the United States. Over and over again we heard that phrase, “weapons of mass destruction,” “weapons of mass destruction.”

I was serving on the Senate Intelligence Committee at that time. I remember the classified testimony behind closed doors. I had serious doubts in my mind as to whether they had established that weapons of mass destruction actually existed and whether authorizing a war meant we would just use that as a device to force Iraq into better conduct or we would actually invade their country.

As a consequence, I joined 22 other Senators in voting against the invasion of Iraq, which we voted on the floor of the Senate in 2002. Twenty-two Democrats and one Republican all voted against that invasion of Iraq. Obviously, we did not prevail. A majority gave that authority to President George W. Bush, and the invasion was underway. I can still remember it.

I can remember the unfolding events as our troops arrived, made their impact on that nation, and eventually took control of Iraq.

Then the search was on for the weapons of mass destruction, which led to our invasion of Iraq. The search continued for days and weeks and months without any evidence of weapons of mass destruction. It was a farce. It was a fraud on the American public. Almost 5,000 Americans lost their lives because of our invasion of Iraq, but the premise, the pretense that led to that invasion was misleading information from the administration. But at least I will say this: There was a debate. There was a vote on the floor of the Senate. Did anyone at that time believe, 18 years ago, that we were voting for a war in Iraq that would continue for 18 years?

On the invasion of Afghanistan, the argument was made to convince me and virtually every Member of Congress that the parties responsible for the tragedy and terror of 9/11 were somehow camped in Afghanistan, and we needed to go after ISIS and all those responsible for that 9/11 invasion of the United States. I voted for that, but I have to say as well, there wasn't a single Senator or Member of the House who really believed that 18 years later, we would still be at war in Afghanistan. Yet we are.

The President is now talking about removing more troops from Afghanistan. We will see. We have heard these promises before, but perhaps it will lead to such a decision by the administration.

The point I am getting to is, the Kaine War Powers Resolution—I see Senator KAINE has come to the floor—really addresses the most fundamental question of our constitutional authority and responsibility to declare war. As Senator KAINE says in this resolution, which I am happy to cosponsor, Congress has the sole power to declare war under article I, section 8, clause 11, of the U.S. Constitution.

When I heard Senator MCCONNELL come to the floor this morning and argue against the Senate stepping forward and asserting its constitutional authority, I wondered, how does he explain in the Commonwealth of Kentucky that we are still engaged in a war 18 years after there was any vote for an authorization for use of military force in Iraq and Afghanistan?

The larger question Senator KAINE and I tried to raise in this resolution is, What does this mean in terms of our future relationship with Iran and their neighbor, Iraq? We know we have had a rocky and contentious relationship with that country. We know they have engaged in acts of terrorism that cost American lives. There has been tension between our countries for decades. We know that full well.

President Obama tried to at least bring some sanity to the relationship by limiting the ability of the Iranians to develop nuclear weapons. He felt, I felt, and most Americans felt that was a step in the right direction, to take the nuclear weapons out of the hands of Iraq so that even if they are engaged in conduct we find reprehensible, it would not reach that horrible level of a nuclear confrontation.

I thought the President was right. I supported President Obama's efforts to develop this inspection mechanism where international inspectors would come into Iran and see if they were developing weapons and report to the world.

We engaged countries around the world to join us in this effort to stop the development of nuclear weapons in Iran. It was an incredible coalition that included Russia and China and the European nations that joined with us to impose this limitation of nuclear weapons in Iran. I thought it was a move in the right direction to have this kind of international support.

Yet, when President Trump took office, sadly, he kept his promise to eliminate that nuclear control agreement between the United States, Iran, and the other parties. By eliminating it, he basically gave permission to the Iranians to continue development of nuclear weapons. Yet he warned the Iranians that if they did, there would be a price to pay.

This is the very reason why this resolution by Senator KAINE is relevant and why we need to consider what the next step will be, because if we are going to stop the Iranians from developing nuclear weapons—and I pray they will not—how are we going to do it and how much force will we use in response? Will it be authorized by the Constitution and by Congress?

I listened to Senator MCCONNELL this morning, and he has basically said to do nothing. Do nothing. Don't assert the constitutional authority of the Congress under the Constitution when it comes to any declaration of war against Iran or any future military endeavors. He described this as a one-off situation, a one-off use of force that we

have currently seen in the targeting of General Soleimani. Perhaps it was, but we don't know the answer to that. When it happened a few weeks ago, there was real uncertainty about what would follow, and I suppose that uncertainty is still here to this day.

This morning, the majority leader said that he thought the impeachment effort that came to the Senate over the last week would not have occurred if we had been patient, and he said this is another example of impatience where we are setting up this constitutional responsibility of the administration.

Well, I disagree with him on two counts. If Senator MCCONNELL is counseling patience, patience in an impeachment trial would certainly have involved evidence, documents, and witnesses. Yet he was impatient to get it over with without any evidence coming before the Senate.

I also would say that patience is a good virtue when it comes to most of life's experiences, and it certainly is if there is a prospect of war.

What Senator KAINE is doing is asserting the authority of Congress to step up and be party to discussions about whether we move beyond the current situation to one that involves troops or any type of invasion of territory in Iran.

I see Senator KAINE is on the floor, and I will defer to him in a moment, but I will tell you this before I sit down: As long as I have been a Member of the House and Senate, I have felt that Congress has a responsibility under the Constitution to declare war. It is a responsibility that most Members of Congress talk about a lot but, frankly, don't want to face. They don't want to be on the record for or against war for fear they will guess wrong in terms of certain foreign policy decisions.

Regardless, I think the Framers of our Constitution understood full well that if we are going to ask American families to potentially sacrifice the lives of their sons and daughters in combat, in a war, they should have a voice in the decision on going to war. That is what this article in the Constitution provides—a voice for the U.S. public that comes through the Congress as to whether we are going to engage in a war. Otherwise, we find ourselves in a situation like today, 18 years after an authorization of use of military force—and part of it under false pretenses—continuing a military effort that was never truly authorized.

I support Senator KAINE's effort. I am glad it is a bipartisan resolution.

I yield the floor.

THE PRESIDING OFFICER (Mrs. LOEFFLER).

The Senator from Virginia is recognized.

Mr. KAINE. Madam President, I rise briefly to thank my colleague. I am actually scheduled to talk on this topic later this afternoon, but I wanted to come and hear Senator DURBIN today. I appreciate his effort. He has been a

powerful advocate of this principle that we don't stand in contradiction of this President or any President when we stand for the proposition that Congress should do its job under article I of the Constitution, and I applaud my colleague for his strong support.

I will take the floor later today to talk about the bipartisan resolution he has just described.

Madam President, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Madam President, we are likely to postpone a vote this week that had been scheduled on a Congressional Review Act resolution of disapproval relative to Education Secretary Betsy DeVos's new borrower defense rule. I would like to explain the background behind this procedure. Although it is likely it will be postponed until after our 1-week President's Day recess, I still think Members should reflect on the importance of this measure.

In 1992 Congress added a provision to the Higher Education Act that allowed student borrowers who were defrauded by their schools to have their Federal student loans discharged. Here is what it boiled down to: The Federal Government recognizes the accreditation of colleges and universities. With that recognition, those colleges and universities can offer Federal loans to the students who attend. So there is a partnership that begins this process and this relationship, and the partnership is a seal of approval by the Federal Government in the authorization of Federal loans.

What we found was that some of the institutions that were given permission to authorize Federal student loans for those attending their institutions, in fact, were lying to their students. So the students were in a situation where they incurred a debt in student loans for promises made by a college or university that turned out to be false.

We said that under the law, that is not fair to the student and the student's family. Those students can be discharged from federal student debt if, in fact, that college or university defrauded them.

What would be a typical fraud? To invite students to enroll in your college with the promise that the courses they take in that college would be transferrable, that the credits are transferrable to another school, and then it turns out to be a lie; the promise that if you complete a certain number of courses in the school, you will have satisfied the requirements for licensure for nursing, for example, and that turns out to be a lie; or the possibility that you would finish the courses of this school and get a job in a certain field.

Great promises were made to the students, and it turns out they were lies. In those circumstances, students—many of whom are young and facing the first serious financial decision of their lives—were misled and defrauded. We said that under the law, those students should have an opportunity to discharge their student loan.

It is bad enough they were lied to, bad enough they wasted their time, and bad enough they had a college experience that didn't make life better for them, but to be saddled with debt because that school lied to them and defrauded them is unacceptable. The process for having their loans discharged is called borrower defense.

Under President Obama, we found that many schools—almost exclusively for-profit universities such as Corinthian, ITT, and others—lied to students about what their experience would be if they went there. So the students, saddled with debt, having been lied to, went to the Department of Education to have that debt discharged. There was some success in that, but then came the new President.

President Trump, with his Secretary of Education, Betsy DeVos, took a much different view and has ignored the claims of these students for discharge of their student loans. They started stacking up, and nearly 230,000 students from across the United States who were looking for this borrower defense relief from their student loans, after having been lied to and defrauded by these colleges and universities, just found no response whatsoever from the Trump administration and from Education Secretary DeVos. As a consequence, they asked Members of Congress to intervene, and we tried but with no success.

Then Secretary DeVos took this decisive step in changing the rules for future students. Do you know what she said? She said to these students: In the future, if you want relief from student debt from being defrauded, prove your case. Lawyer-up. Get your lawyer, and let's have a hearing.

Well, understand that these students—young and in debt to start with—are not likely to turn around and hire a lawyer to prove Corinthian, in its catalogues and representations to students, for example, misrepresented the education they were offering.

Under the previous administration, that could be established in evidence, and all the students affected by it could use that evidence. Under the DeVos administration, it is an individual burden of proof to qualify for borrower defense. So that will leave many students with no recourse. As a consequence, they will be stuck with the debt for a worthless education or one that didn't meet as promised.

More than 223,000 claims are pending before the Department. Many of them have been waiting for years. The claims come from every State in the Union—large, small, red, blue and purple—and they are not going to stop.

These claims have led to this CRA, this Congressional Review Act resolution of disapproval.

I doubt that we are going to be taking it up this week, so I am going to withhold making a presentation on this until we return after the President's Day recess. But I want to make one last point. We are not just bringing this up on behalf of students; we are bringing this matter before the Senate on behalf of veterans. Student veterans.

The American Legion of the United States has stepped up and said to us that veterans have been defrauded just like the students we are talking about on the floor of the Senate.

If you believe in these veterans and these military families who are stuck with student loan debt because of lies from colleges and universities, I urge my colleagues to think twice and join us in this effort to stop the DeVos rules and give our veterans a fighting chance not to be burdened with this unfair debt.

Madam President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

IMPEACHMENT

Mr. SCHUMER. Madam President, in voting to acquit President Trump of an abuse of power and obstruction of Congress, Senate Republicans sought to justify their vote by claiming that the President had "learned his lesson." The implication was that the ordeal of impeachment and its permanent stain on his reputation that can never be erased would chasten President Trump's future behavior—a toddler scolded into compliance.

The explanation, frankly, looked like an excuse. It was unconvincing the moment it was uttered. No serious person believes President Trump has learned any lesson. He doesn't learn any lessons. He does just what he wants and what suits his ego at the moment. Observers of the President would question whether he is even capable of learning a lesson, and, unsurprisingly, the flimsy rationalization by some Senate Republicans, desperate to have an excuse because they were so afraid of doing the right thing, was disproven within a matter of days.

President Trump was acquitted by Senate Republicans last Wednesday. On Friday, he began dismissing members of his administration who testified in the impeachment inquiry, including the patriot, LTC Alexander Vindman and Ambassador Gordon Sondland, a clear and obvious act of retaliation—very simply, that is all it was—against witnesses who told the truth under oath.

President Trump hates the truth, time and time again, because he knows he lies, and when other people tell the truth, he hates it, so he fired them. The President even fired the brother of Lieutenant Colonel Vindman for the crime of being related to someone the President wanted out. How vindictive,

how petty, how nasty, and yet there are rumors now that the President might dismiss the inspector general of the intelligence community, the official who received the whistleblower report. These are patriots all. President Trump can't stand patriots because they stand for country, not for what he wants.

Yesterday, once again and typically, the White House reportedly decided to withdraw the nomination of Elaine McCusker, who was in line to serve as the Pentagon Comptroller and Chief Financial Officer. Why did he dismiss her—a longtime serving, very capable woman? Because over the summer, Ms. McCusker advised—merely advised—members of the administration about the legal ramifications of denying assistance to Ukraine. Her crime, in the eyes of President Trump and his so many acolytes—henchmen—in the administration, was attempting to follow the law. How dare she try to follow the law. How dare she even voice this is what the law is in this kind of administration.

Of course, yesterday, after career prosecutors recommended that Roger Stone be sentenced to 7 to 9 years in Federal prison for witness tampering and lying abjectly to Congress, the President tweeted that his former confidant was being treated extremely unfair. It appears the Attorney General of the United States and other political appointees of the Justice Department intervened to countermand the sentencing recommendation. As a result, in an unprecedented but brave, courageous, and patriotic move, four career prosecutors working on the Roger Stone case—all four of them—withdraw from the case or resigned from the Justice Department.

When asked about the clear impropriety of intervening in a Federal case, the President said he has an "absolute right" to order the Justice Department to do whatever he wants. This morning, the President congratulated the Attorney General, amazingly enough, for taking charge of the case.

The President ran against the swamp in Washington, a place where the game is rigged by the powerful to benefit them personally. I ask my fellow Americans: What is more swampy, what is more fetid, and what is more stinking than the most powerful person in the country literally changing the rules to benefit a crony guilty of breaking the law?

As a result, I have formally requested that the inspector general of the Justice Department investigate this matter immediately. This morning, I call on Judiciary Committee Chairman GRAHAM to convene an emergency hearing of the Judiciary Committee to do the same—to conduct oversight and hold hearings. That is the job of the Judiciary Committee, no matter who is President and whether the President is from your party or not. Something egregious like this demands that the inspector general investigate and de-

mands that the chairman of the Judiciary Committee hold a hearing now.

The President is claiming that rigging the rules is perfectly legitimate. He claims an absolute right to order the Justice Department to do anything he wants. The President has, as his Attorney General, an enabler—and that is a kind word—who actually supports this view. Does anyone think it is out of the question that President Trump might order the FBI to investigate Hillary Clinton, Joe Biden, or anyone else without any evidence to support such an arbitrary violation of individual rights? Oh, I know, some far-right conspiratorial writer, who has no credibility, who just makes things up, writes it, FOX News puts it on, Sean Hannity or someone talks about it, and then the President says "investigate." That is third-world behavior, not American behavior. That kind of behavior defiles that great flag that is standing above us. This is not ordinary stuff. I have never seen it before with any President—Democratic, Republican, liberal or conservative.

Does any serious person believe the President's abuse would be limited to the Justice Department? Does any serious person think that Trump might not order the Justice Department to treat his friends, associates, and family members differently than it treats ordinary citizens and that Attorney General Barr would just carry out these orders?

Of course, none of this is out of the question. The President asserted his absolute right to do whatever he wants yesterday. We are witnessing a crisis in the rule of law in America, unlike one we have ever seen before. It is a crisis of President Trump's making, but it was enabled and emboldened by every Senate Republican who was too afraid to stand up to him and say the simple word "no" when the vast majority of them knew that was the right thing to do.

Republicans thought the President would learn his lesson. It turned out that the lesson he learned was not that he went too far and not that he needed to rein it in. The lesson the President learned was that the Republican Party will not hold him accountable, no matter how egregious his behavior—not now, not ever.

Senate Republicans voted to excuse President Trump's abuses of power. They voted to abdicate the constitutional authority of Congress to check on an overreaching Executive. Senate Republicans now own this crisis, and they are responsible for every new abuse of power President Trump commits. John Adams famously described our grand Republic that he helped create as a government of laws, not of men. Our Founding Fathers' foremost concern, of course, was to escape the tyranny of a government of men—more specifically, a King. That is why the Founders created a republic in America. That is why the patriots died for the freedom we are now blessed with.

Yet, after almost 2½ centuries of experience in self-government as a republic, we are, once again, faced with a very serious and looming question: Do we want a government of laws or of men? Do we want to be governed by the laws of the United States or by the whims of one man?

I don't think my Republican colleagues fully appreciated what they were unleashing when they voted in the impeachment trial to excuse the President's conduct—although, maybe they did. They were just afraid, fearful, shaking in their boots because Trump might take vengeance out on them as he did on Senators Flake and Corker. They voted to acquit the President after he used his immense power to pressure a foreign leader to announce an investigation to smear a rival.

What we have seen in the hours and days since that fateful acquittal vote last Wednesday is so disturbing. In a parade of horrors, this is one of the most horrible things President Trump has done. In a parade of horrors, this is one of the most feeble and servile actions of Republicans, just no one saying a peep about it. We are seeing the behavior of a man who has contempt for the rule of law beginning to try out the new unrestrained power conferred on him by 52, 53—well, 52 Republican Senators, 1 brave one.

Left to his own devices, President Trump would turn America into a banana republic with a dictator who can do whatever he wants, and the Justice Department is the President's personal law firm, not a defender of the rule of law. It is a sad day in America—a sad day.

The Founding Fathers created something brand new, a republic, because they were afraid of monarchy. The Senate Republicans aided and abetted President Trump to get much closer to that monarchy than we have been in a long time. Senate Republicans have created something very close to a monarchy, if they can keep it.

WAR POWERS RESOLUTION

Madam President, now, on war powers, later today, the Senate will begin debate on Senator KAINE's War Powers Resolution, preventing President Trump from unilaterally escalating military action against Iran.

The Constitution is clear, Congress alone has the power to declare wars. The President has no authority to enter the United States into another endless conflict in the Middle East, but I fear that the strike against Iranian Major General Soleimani last month may bumble us into one.

With this bipartisan resolution, the Senate can assert its constitutional authority and send a clear bipartisan message to the President that he cannot sidestep Congress when it comes to matters of war and peace. It was immediately clear that the strike against General Soleimani was carried out with insufficient transparency, without proper notification of Congress, and without a clear plan for what comes next.

Last month has only magnified these problems. President Trump initially claimed that no one was hurt after Iran retaliated against forces on January 8. Now the Pentagon says over 100 military personnel suffered a traumatic brain injury. Why has it taken so long for us to learn that American troops were hurt in the attack? Who ordered the withholding of that information? Was it President Trump? It sure wouldn't be surprising. And who in the military—the military, which is a bulwark, one of the few, particularly when General Mattis was the Secretary—who in the military let that happen? Just as importantly, what is the President's strategy for keeping our troops safe in the coming weeks?

The administration has deliberately refused to be transparent with Congress about the aftermath of the Iranian strike. I fear that by keeping Congress in the dark, President Trump is, once again, hoping to short-circuit our checks and balances and escape scrutiny. That is why Senator KAINE's War Powers Resolution is a matter of urgent necessity. I commend Senator KAINE on the job he has done and urge my colleagues of both parties to vote in favor of this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the confirmation vote on the Kindred nomination begin following my remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NOMINATION OF JOSHUA M. KINDRED

Mr. SULLIVAN. Madam President, I rise today in support of the vote that the Senate is going to take on here in a few minutes on Joshua Kindred to be Alaska's next Federal district court judge, and I commend this body, particularly Leader MCCONNELL, for prioritizing putting good, solid, young Federal judges in seats in districts and circuit courts all across the country—188 so far since the Trump administration took office, and now it is Alaska's turn.

That Federal judge seat that we are looking at filling here in a couple of minutes has been empty for almost 4 years, and in our State, in the great State of Alaska, we don't have too many opportunities for Federal judges. For example, Alaska only has 1 active judge on the entire Ninth Circuit Court of Appeals out of 29 active judges. So this is an important vote, certainly, for my State.

I want to talk a little bit about Josh Kindred. I have known Josh since he was a young assistant district attorney for the State of Alaska when I was attorney general. We talked about how we were going to work together to make Alaska's judicial process more efficient and more effective for Alaskans during his confirmation process. I certainly was impressed then, but I was impressed when I first met Josh many

years ago and continue to be impressed with his fierce commitment to upholding the law, the concept of equal access to justice for all, and his keen awareness of Alaska's unique legal landscape.

Josh was unanimously rated as "qualified" by the ABA and is a life-long Alaskan with a broad and impressive legal background.

As I mentioned, after clerking on the Oregon Supreme Court, he came back home to Alaska and was promoted to violent crimes supervisor after a number of years working in the Anchorage District Attorney's Office, where he worked to punish perpetrators of crimes and with victims of some of the heinous crimes, unfortunately, that we have in too high numbers in Alaska, particularly as it relates to sexual assault and domestic violence. In his career, he has been committed not only to prosecuting those kinds of crimes but to doing pro bono work to stem this very significant crisis that my State has with these heinous crimes of sexual abuse.

Rounding out his legal experience, Josh served as the environmental counsel for the Alaska Oil and Gas Association and, most recently, as the regional solicitor for Alaska for the U.S. Department of the Interior. Now, when the Federal Government controls over 60 percent of the lands in Alaska, the solicitor for the U.S. Department of the Interior position in Alaska is actually a really important one and is incredibly important in terms of qualifications for a Federal judge.

This wide-ranging experience will be incredibly valuable as a district court judge in Alaska because he is familiar—very familiar—with the numerous Alaska-specific laws that this body passes year after year, decade after decade: the Alaska Native Claims Settlement Act, the Alaska National Interest Lands Conservation Act, and the Trans-Alaska Pipeline Act. This is an important point because very few States have such large, complex Federal laws that are focused solely on their State, and Federal courts often misinterpret these laws and don't understand these laws, to the detriment of the people I represent.

Let me just give you a recent example. There was a Federal case under the law I mentioned recently, ANILCA, as we call it in Alaska. It involved a moose hunter named John Sturgeon who had a hovercraft and wanted to go moose hunting, and overbearing Federal Government agents told him he couldn't use his hovercraft in certain areas considered Federal waters. John Sturgeon knew better. He challenged the Federal Government. There were 12 years of litigation, twice up to the U.S. Supreme Court, and Federal judges at the district and certainly the Ninth Circuit Court of Appeals level getting this case wrong every single time. Finally, last year, in a unanimous 9-to-0 opinion, Justice Elena Kagan summed it up very succinctly when she ruled

against all of these Federal judges in the Ninth Circuit and for Mr. Sturgeon. She said: "If Sturgeon lived in any other State, his suit would not have a prayer of success."

She went on: "Except that Sturgeon lives in Alaska. And as we have said before, 'Alaska is often the exception, not the rule,'" under Federal law.

So the Supreme Court gets it, and Josh Kindred will get it. He understands Alaska's unique legal jurisprudence. He is committed to honoring the commitments this body has made to Alaska's first peoples and others in my great State, and he is committed to justice.

I believe he will serve with honor and integrity on the Federal court, and I urge my colleagues to vote for his confirmation.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Kindred nomination?

Mr. SULLIVAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNETT), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 41 Ex.]

YEAS—54

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeben	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Shelby
Cotton	Loeffler	Sinema
Cramer	Manchin	Sullivan
Crapo	McConnell	Thune
Cruz	McSally	Tillis
Daines	Moran	Toomey
Enzi	Murkowski	Wicker
Ernst	Paul	Young

NAYS—41

Baldwin	Coons	Heinrich
Blumenthal	Cortez Masto	Hirono
Booker	Duckworth	Jones
Brown	Durbin	Kaine
Cantwell	Feinstein	King
Cardin	Gillibrand	Leahy
Carper	Harris	Markey
Casey	Hassan	Menendez

Merkley Schatz Udall
 Murphy Schumer Van Hollen
 Murray Shaheen Warner
 Peters Smith Whitehouse
 Reed Stabenow Wyden
 Rosen Tester

Rosen Shaheen Tillis
 Rounds Shelby Toomey
 Rubio Sinema Warner
 Sasse Sullivan Whitehouse
 Scott (FL) Tester Wicker
 Scott (SC) Thune Young

Paul Rounds Sullivan
 Perdue Sasse Tester
 Peters Schatz Thune
 Portman Scott (FL) Tillis
 Reed Scott (SC) Toomey
 Risch Shaheen Warner
 Roberts Shelby Whitehouse
 Romney Sinema Wicker
 Rosen Smith Young

NOT VOTING—5

Bennet Klobuchar Warren
 Johnson Sanders

NAYS—23

Baldwin Gillibrand Schatz
 Blumenthal Harris Schumer
 Booker Heinrich Smith
 Brown Hirono Stabenow
 Cantwell Markey Udall
 Cardin Menendez Van Hollen
 Casey Merkley Wyden
 Coons Murray

NAYS—12

Booker Harris Stabenow
 Brown Markey Udall
 Cantwell Murray Van Hollen
 Gillibrand Schumer Wyden

NOT VOTING—5

Bennet Klobuchar Warren
 Johnson Sanders

Bennet Klobuchar Warren
 Heinrich Rubio
 Johnson Sanders

NOT VOTING—7

The nomination was confirmed.
 The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the votes following the first vote be 10 minutes in length.

The PRESIDING OFFICER. Is there any objection?

Without objection, it is so ordered. The votes will be 10 minutes.

The nomination was confirmed.

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Schlep nomination?

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 23, as follows:

[Rollcall Vote No. 42 Ex.]

YEAS—72

Alexander Duckworth Lankford
 Barrasso Durbin Leahy
 Blackburn Enzi Lee
 Blunt Ernst Loeffler
 Boozman Feinstein Manchin
 Braun Fischer McConnell
 Burr Gardner McSally
 Capito Graham Moran
 Carper Grassley Murkowski
 Cassidy Hassan Murphy
 Collins Hawley Paul
 Cornyn Hoeven Perdue
 Cortez Masto Hyde-Smith Peters
 Cotton Inhofe Portman
 Cramer Jones Reed
 Crapo Kaine Risch
 Cruz Kennedy Roberts
 Daines King Romney

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Kness nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.
 The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea" and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Mexico (Mr. HEINRICH), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 12, as follows:

[Rollcall Vote No. 43 Ex.]

YEAS—81

Alexander Cotton Hyde-Smith
 Baldwin Cramer Inhofe
 Barrasso Crapo Jones
 Blackburn Cruz Kaine
 Blumenthal Daines Kennedy
 Blunt Duckworth King
 Boozman Durbin Lankford
 Braun Enzi Leahy
 Burr Ernst Lee
 Capito Feinstein Loeffler
 Cardin Fischer Manchin
 Carper Gardner McConnell
 Casey Graham McSally
 Cassidy Grassley Menendez
 Collins Hassan Merkley
 Coons Hawley Moran
 Cornyn Hirono Murkowski
 Cortez Masto Hoeven Murphy

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Halpern nomination?

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.
 The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Ms. ERNST). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 77, nays 19, as follows:

[Rollcall Vote No. 44 Ex.]

YEAS—77

Alexander Graham Portman
 Barrasso Grassley Reed
 Blackburn Hassan Risch
 Blunt Hawley Roberts
 Boozman Hoeven Romney
 Braun Hyde-Smith Rounds
 Brown Inhofe Rubio
 Burr Johnson Sasse
 Capito Jones Schumer
 Cardin Kaine Scott (FL)
 Carper Kennedy Scott (SC)
 Cassidy King Shaheen
 Collins Lankford Shelby
 Coons Leahy Sinema
 Cornyn Lee Stabenow
 Cotton Loeffler Sullivan
 Cramer Manchin Tester
 Crapo McConnell Thune
 Cruz McSally Tillis
 Daines Menendez Toomey
 Durbin Moran Van Hollen
 Enzi Murkowski Warner
 Ernst Murphy Whitehouse
 Feinstein Paul Wicker
 Fischer Perdue Young
 Gardner Peters

NAYS—19

Baldwin Case Harris
 Blumenthal Cortez Masto Heinrich
 Booker Duckworth Hirono
 Cantwell Gillibrand Markey

Merkley Schatz Wyden
Murray Smith
Rosen Udall

NOT VOTING—4

Bennet Sanders
Klobuchar Warren

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from the North Dakota.

Mr. CRAMER. Madam President, I ask unanimous consent that for the nominations just confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CRAMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Virginia.

MOTION TO DISCHARGE—S.J. RES. 68

Mr. KAINE. Madam President, pursuant to section 1013 of the Department of State Authorization Act for Fiscal Years 1984 and 1985 and in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, I move to discharge the Foreign Relations Committee from further consideration of S.J. Res. 68.

The PRESIDING OFFICER. The motion is pending.

Mr. KAINE. I ask unanimous consent to yield back all time on the motion to discharge.

The PRESIDING OFFICER. Is there objection?

There being no objection, the question is on agreeing to the motion to discharge.

The motion is agreed to.

DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES AGAINST THE ISLAMIC REPUBLIC OF IRAN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS—MOTION TO PROCEED

Mr. KAINE. Madam President, I move to proceed to S.J. Res. 68.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to S.J. Res. 68, a joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

Mr. KAINE. Madam President, finally, I ask unanimous consent that the time until 2 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

Mr. KAINE. Madam President, I now rise to speak to the body in favor of the bipartisan War Powers Resolution, S.J. Res. 68, which is now pending before the Senate.

Before I address the resolution, I want to acknowledge the combat deaths of SFC Javier Gutierrez and SFC Antonio Rodriguez. Both of these Army sergeants, sergeants first class, were 28-year-olds who were killed last week in Afghanistan. While the incident is still under investigation, it appears that they were killed by a member of the Afghan security forces or somebody posing as a member of the Afghan security forces. As we know well, this is a security force that the United States has armed, equipped, and trained for 19 years.

Sergeant Gutierrez leaves behind a wife, Gabby, and four children, ages 2 through 7. His grandfather was a POW during World War II, and his father was a marine. He had previously deployed both to Iraq and Afghanistan.

Sergeant Rodriguez leaves behind a wife, Ronaleen. He had previously deployed to Afghanistan 10 times. I thought that was a misprint when I read it—a 28-year-old who had previously deployed to Afghanistan 10 times before he was killed.

We honor their memories and send our condolences to their families as well.

The resolution before the body today is about Congress reclaiming its rightful role in decisions about war. The resolution is pretty simple: We should not be at war with Iran unless Congress votes to authorize such a war.

While the President does and must always have the ability to defend the United States from imminent attack, the Executive power to initiate war stops there. An offensive war requires a congressional debate and vote.

This should not be a controversial proposition. It is clearly stated in the Constitution we pledge to support and defend. The principle is established there for a most important reason. If we are to order our men and women, like Sergeants Rodriguez and Gutierrez, to risk their lives and health in war, it should be on the basis of careful deliberation by the people's elected legislature and not on the say-so of any one person.

Congressional deliberation educates the American public about what are the stakes, what are the stakes involved in any proposed war.

Congressional deliberation allows Members of Congress to ask tough questions about the need for war, about the path to victory, and about how a victory can be sustained. And if fol-

lowing that public deliberation, there is a vote of Congress for war, it represents a clear statement that a war is in the national interest and that the efforts of our troops are supported by a clear political consensus. We should not allow this important process to be short-circuited.

Our Framers believed that the congressional deliberation would be the best antidote to unnecessary escalation.

I have spoken often about this topic on the floor during the 7 years I have been in the Senate, and I don't want to repeat arguments that I have made dozens and dozens of times here, but I do want to address at least three objections that I have made to this resolution.

First, there is an objection that says the bipartisan resolution is "an effort to restrain President Trump's powers." This is not a resolution about the President. The resolution does not say anything about President Trump or any President. It is a resolution about Congress.

I want a President that will fully inhabit the article II powers of Commander in Chief, but as a Member of the Article I branch, I want an article I branch that would fully inhabit the article I powers, including the sole power to declare war. This is not an effort to restrain President Trump or some other President. This is not an effort by a Democrat to point a finger or to restrain Republicans. No. In the history of this country, even in recent history, I believe we have often gotten it wrong with respect to the initiation of war, whether the President was a Democrat or Republican or whether the majority in Congress was Democratic or Republican.

The legislative branch, article I, has allowed too much power to devolve to the Executive in this fundamental question of whether the Nation should be at war. This is not directed toward President Trump. It would apply equally to any President. It is fundamentally about Congress owning up to and taking responsibility for the most significant decisions that we should ever have to make.

A second argument against the bill that I have heard made on the floor in recent days is that it would send a message of weakness to Iran or to other adversaries. I have to admit, I am more interested in the message that we send to the American public and to our troops and to our families. That is the message I am most interested in.

As a father of a marine and as a Senator from a State that is just chock-full of Active-Duty Guard and Reserve veterans, DOD civilian and DOD contractor military families, this bill sends a very strong and powerful message to our public and to our troops and their families that before we get into a war, there will be a careful deliberation about whether it is necessary.

That is a message of comfort. That is a message that can give our own public

and our troops confidence, but to the extent that we want to consider the message this might send to Iran and adversaries, I do not think that America sends a message of weakness when we proudly hold ourselves up as a nation of laws, and we pledge to follow the law when it comes to the monumental question about whether or not we should be at war.

In fact, I believe we are most effective in countering our adversaries—and, face it, most of our adversaries are authoritarian states which do not honor the rule of war—when we send a clear message that, in this country, we will stand for democratic principles, such as the rule of law, and we will follow those principles when we are making momentous decisions, such as whether or not we should be at war.

A third objection I have heard is this: It sends a message that America is not likely to use military force, a message that, thereby, might embolden bad actors. I find this argument bewildering.

I don't think anyone in the world questions whether America will use military force. We have been engaged in a war against nonstate terrorism now for 19 years. The pages in this book have known nothing but war. These two 28-year-olds who were just killed last year, they virtually knew nothing other than war during their whole lives.

Is America willing to use military action? We have been in a war for 19 years. We are losing troops on the battlefield—like Sergeants Rodriguez and Gutierrez—to this very day. We have tens and thousands of troops deployed around the world to fight a war against terrorism, and the current President is increasing the total footprint of those troops in the Middle East to prosecute this fight.

In Afghanistan alone, where these two sergeants were killed, we are spending \$45 billion a year. It is 19 years later, and we are still spending \$45 billion a year to prosecute this fight. No one can question whether the United States will protect itself or our allies, but the choice of when to fight wars and when to use other available tools is always a question of such importance that the most careful deliberation is warranted.

As I conclude, I just want to say this. I went and visited the Hampton veterans hospital last Friday as part of just, sort of, a regular visit maybe once a year just to check in with the Hampton VA, which is one of three VAs in Virginia, to see what they are doing. I know every Member of the Senate does the same thing, visiting VA hospitals in their States and elsewhere—going to see our veterans at Walter Reed, for example, or going to see wounded warriors who are at the hospital at Fort Belvoir in Virginia. Any visit of that kind produces a million emotions: pride in service providers, pride in resilience of our veterans as they are grappling with challenging illnesses and disabilities in their lives, often

long after they have served. The one impression that is always vivid when you visit a veterans hospital is this: the enduring consequences of war.

As I visited the Hampton VA, I spent time in, sort of, two particular units. One is a women's clinic. We have so many more women veterans, and a number of VAs that were not set up very well to deal with women are now having to really build out the capacity to deal with the growing number of women veterans and the issues that they are bringing to the table. I applaud what I saw in Hampton at the women's clinic.

I also spent time in the mental health unit that is trying to pioneer new technologies, magnetic imaging, to help people deal with some of the signature wounds of the Iraq and Afghanistan war: traumatic brain injury and PTSD.

We make a promise to these veterans that we will be there for them, even when we don't fully know the consequences of the promise we make because they don't know the consequences of what they will experience and suffer.

A signature aspect of the Iraq and Afghanistan wars that really doesn't have an earlier precedent is the 10-deployments phenomena. In what earlier war that this country fought do we have 28-year-old sergeants who are serving their 11th deployment in a theater of war? Those repeated deployments have a long consequence in the life of a person and in the life of those close to that person.

Madam President knows this from her own service: When you go to the VA and you grapple with the long consequences of war, it has to make an impression upon those of us in this body charged with the sole responsibility for declaring war that, if and when we do so, we owe it the most careful deliberation that we bring to any question that would ever result in the loss of lives. That is not too much to ask for us to deliberate carefully when what is at risk for those who serve, who depend upon us to make the best possible decision, are consequences that will last their own lifetimes and affect the lives of so many others.

That is what this resolution is about. I don't believe it should be controversial. It is certainly bipartisan, and I hope we will stand up for this important proposition that the careful deliberation of the Senate is the most necessary thing we can do and what we owe to our troops and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I come to the floor today to strongly urge all of my colleagues to join Senator KAINE, and I want to thank him for his extremely thoughtful and amazing approach to this.

I think it is so important that we reassert Congress's authority in decisions concerning our Nation's security

and curbing this administration's ability to put our troops in harm's way without consulting the American people.

Following the early January attack on U.S. troops deployed in Iraq triggered by President Trump's decision to launch a drone strike that killed Iran's Qasem Soleimani, I know that many Americans were frightened, as I was, to then watch tensions with Iran escalate so rapidly in realtime. I am glad the President has backed down and decided not to further escalate those tensions in recent weeks—as a voice for my home State of Washington, including all of our servicemembers and military families and communities. But we are not off the hook, and we have every reason to believe that Iran may retaliate again, which is why I remain deeply disturbed by President Trump's rush to incite conflict in ways that could have significant negative impacts on our strategic goals in the region and, more importantly, the long-term safety and security of Americans at home and abroad.

To date, neither President Trump nor his administration has provided any evidence to us here in Congress to justify his actions, and despite reports from the administration shortly after the attack that there were no U.S. casualties, we are now learning more than 100 servicemembers—100—have been diagnosed with traumatic brain injury following that attack—serious injuries that President Trump dismissed as simply “headaches.”

The American people expect their representatives—us—to have a say in decisions that may put their lives or the lives of a loved one at risk. As the daughter of a World War II veteran and Purple Heart recipient, here in the Senate I make decisions about our national security with deep concern for our brave servicemembers and their families, with a personal understanding of the sacrifices they make for all of us and our Nation and an unwavering commitment to ensuring that they have the support they need while they serve and when they come home.

That is exactly why our Constitution mandates that the power to declare war rests with Congress—not the Commander in Chief—because those decisions weren't meant to be made by one person alone. That is why I am glad that my friend from Virginia, Senator KAINE, is offering this War Powers Resolution, of which I am very proud to be a cosponsor.

Passing this resolution is a first step toward protecting our servicemembers and our interests in the region by removing our troops from hostilities in or against Iran unless there is a declaration of war or a congressional authorization for the use of force.

This isn't just an issue for Democrats. I am very proud that this resolution has bipartisan support because, no matter what side of the aisle you are on, we should all agree that Congress must play a role in our Nation's foreign policy, as well as matters related

to the health and safety of our servicemembers.

I am grateful for all of those who are serving in the Middle East and around the world, and that is why I refuse to stand by and accept that they could be put in jeopardy or that our Nation's foreign policy and safety could be upended by an impulsive, late-night tweet.

So I will continue to demand that the President provide his legal justification for the drone strike in Iraq, commit to coming before Congress in advance of any further escalating steps, and explain to us how he will move forward in the region with the goal of protecting Americans, our allies, and our interests.

In the meantime, considering the unique recklessness of this administration, it is urgently important for Congress to pass this resolution to block President Trump's ability to start a war with Iran and ensure that Congress is guaranteed the opportunity to hear whatever case the President may have before taking a vote to determine the path that we want our Nation to go down.

In 2002 I voted against the war in Iraq because I felt the administration was asking us to send our men and women into harm's way without a clear plan or a goal. Last week the House passed legislation to repeal that 2002 AUMF, which is a step in the right direction toward bringing our brave troops home.

The Senate should stand up and assert our authority to represent our constituents on this critical issue, too, because, as Senators, they are the people to whom we are all accountable. We have to be able to go home and look them in the eye and say that we gave questions as grave as decisions concerning war and peace the deliberation that they warrant and that we have done everything we can to protect our Nation and our servicemembers. You simply can't do that if you allow this President—or any President—to continue conducting foreign policy—especially by tweet—unchecked.

So Congress has an obligation to ensure a debate. We have an obligation to press this administration for a strategy and check its power if it doesn't present a compelling one, which so far it hasn't.

Passing this War Powers Resolution will help us—us—do exactly that, so I strongly urge our colleagues to support this resolution.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. THUNE. Madam President, today we are taking up a War Powers Resolution ostensibly aimed at hostilities with Iran. The impetus for this resolution was the strike the President authorized to take out Iranian General Qasem Soleimani.

Iran has a long history of fomenting violence and conflict in the Middle East, and General Soleimani was al-

ways right in the center of that. As head of the Quds Force of Iran's Revolutionary Guard Corps, Soleimani masterminded Iran's terrorist activities for two decades. Iran has been linked to one in six U.S. military deaths in Iraq, notably through the IEDs that have become so emblematic of the War on Terror.

This was Soleimani's work. He is responsible for the deaths of hundreds of American soldiers and countless innocent civilians, and the threat Iran poses to U.S. personnel is an ongoing threat. At the end of December, an Iran-backed militia fired more than 30 rockets at an Iraqi military base, killing an American contractor and wounding four U.S. troops. Days later, Iran-backed protesters stormed the U.S. Embassy in Baghdad, conducting a 2-day siege of the Embassy before withdrawing.

The strike on General Soleimani wasn't just based on these recent attacks or on Soleimani's long reign of terror in the Middle East. The President authorized the strike on Soleimani because there was credible intelligence that Soleimani was planning imminent attacks against U.S. interests. That was the conclusion not of the President but of the U.S. intelligence community and nonpartisan experts like the CIA Director and the Chairman of the Joint Chiefs. It was in response to this conclusion from the intelligence community that the President ordered the strike.

The War Powers Resolution coming before the Senate was introduced out of concern that taking out Iran's top terrorist leader would lead to escalation, but that has not happened. The perspective provided by the nearly 6 weeks that have passed since Soleimani's killing underscores the one-off nature of the strike. The President has not escalated this conflict or used Soleimani's death as an excuse to send troops into action against Iran. In fact, this strike was designed to check escalation in the region—specifically, increasing aggression and imminent attacks by Iran.

We live in a dangerous world. The United States must be able to respond to imminent threats to our security. I support the robust interpretation of Congress's constitutional prerogatives when it comes to the declaration of war and the deployment of U.S. troops, but I also believe that the President has the authority and, indeed, the responsibility to protect the United States from imminent threats.

The strike against Qasem Soleimani has reminded those hostile to the United States that we will not stand idly by while U.S. personnel are threatened. It has removed the top terrorist leader from the arena, a leader responsible for the deaths of hundreds of Americans. It has reduced, although certainly not eliminated, the risk to our men and women in uniform deployed in the Middle East.

I believe that the President's action was justified, and I think this resolu-

tion is an ill-advised and potentially problematic response to the President's action.

With Soleimani's evil influence removed from the Middle East, Iran has the chance to chart a new course, to rethink its participation in terrorism and its oppression of its own people. I hope that Iran will moderate its activities, but, of course, we have to be prepared for the likelihood that it will not. We have to continue to ensure that our words and actions make Iran and any other hostile nation think twice before attacking American citizens.

We have to continue to ensure that our military and intelligence community have the resources they need to identify and to defeat any threat. I will continue to work to ensure that our military is the best prepared, best equipped fighting force in the world and that our intelligence professionals have the resources they need to protect our country.

I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from Ohio.

IMPEACHMENT

Mr. BROWN. Mr. President, I thank the Senator from South Dakota.

At the conclusion of President Trump's impeachment trial, I heard some of my Republican colleagues, most of whom I consider my friends, say that the President would be chastened by impeachment. Some of you told me you knew what he did was wrong. A number of Republicans told me they admit that he lies a lot. They would acknowledge extorting an ally for help in the 2020 Presidential campaign wasn't bad enough to rise to the level of warranting removal from office—even though Richard Nixon never did that; even though, just on the face of it, thinking of soliciting a bribe from a foreign country to help you in your reelection as President of the United States is worse than untoward.

But you told me—many of you on the Republican side—that holding the trial was enough to check his bad behavior. You said things like this—and these are quotes, but I will not mention who they were because they were private conversations. You said: "I think he has learned he has to be maybe a little more judicious and careful."

Some of you said these publicly too. A reporter asked another of you whether Trump might see acquittal as a license to do it again, and you responded: I don't think so.

One of my colleagues said: "I think he knows now that, if he is trying to do certain things . . . he needs to go through the proper channels."

Another colleague said: "The President has been impeached. That's a pretty big lesson. . . . I believe that he will be more cautious in the future."

Well, the President learned a pretty big lesson. The lesson he learned—because everybody, every single person, from the majority leader down the hall to every Republican sitting at this

desk and this desk and this desk—every Republican except for MITT ROMNEY voted to acquit. Every single Republican voted to acquit, so the lesson is he can do whatever he wants; he can abuse his office because he will never, ever be held accountable.

One Republican had the courage to stand up and do it. Every other Republican sitting at these desks said to the President of the United States: Yeah, it is OK. You have learned your lesson. Yeah, your lesson is that you can do whatever you want and this body will never, ever hold you accountable.

So do you know what? And I thank the Presiding Officer, by the way. Do you know what? The President went on what we call a PR tour—a personal retribution tour—starting at the prayer breakfast—the prayer breakfast—the next day when he attacked and he attacked and he attacked all kinds of people, continuing through to his speech in the East Room where many of my colleagues were in the audience clapping for the President when the President made these attacks on people.

They say he will never do it again; even if we vote to acquit, he will never do it again. But then they clap for him when he starts his personal retribution tour.

He removed Colonel Vindman, a patriot, a Purple Heart recipient who spent his life serving our country. He was an immigrant. He left the Soviet Union. He wanted freedom. He served in our country's military.

The President, when he attacked Colonel Vindman, mocked his accent. He grew up speaking Ukrainian, and his English was damn near perfect when I have listened to him, but he had a bit of a Ukrainian accent. He mocked his accent. And then he suggested he could be subject to military prosecution.

He removed Ambassador Sondland, who was a Trump appointee, after he testified to the quid pro quo.

Yesterday, President Trump continued this PR tour—his personal retribution tour—interfering at the Department of Justice. I am not a lawyer. I know the Presiding Officer is. Most of my colleagues on both sides of the aisle are. But they know a President doesn't interfere with the Department of Justice. As part of his personal retribution tour, he is interfering there. He is strong-arming appointees to overrule the decision of career prosecutors.

Do you know what? These career prosecutors withdrew in protest. One of them resigned from the Department—more on that later.

Late last night, when the country's eyes were on the primary in New Hampshire, the President of the United States was on part of this retribution tour, and my colleagues had said: Oh, no, he has learned from impeachment. Well, he hasn't. He has learned he can get away with stuff. He yanked his own Treasury nominee, who was working on terrorist financing and financial

crimes, former U.S. Attorney Jessie Liu, who had worked as U.S. Attorney for the District of Columbia and had worked on, among other things, oversight of prosecutions from Special Counsel Mueller's investigations. The Treasury Department has offered zero explanation. I am going to get a chance in a few minutes to ask the Treasury Secretary, coming in front of my committee, why they are withdrawing her nomination 48 hours before her confirmation hearing.

We can take a guess at why President Trump pulled down her nomination. She oversaw the U.S. attorneys prosecuting President Trump's criminal associates, his political operatives, like Rick Gates, Michael Flynn, and Roger Stone.

This is so obvious. There were people out there who displeased the President. One of them was doing his public duty. He is career military and had fled the Soviet Union. He was speaking under oath about what the President had done because he knew it was wrong to solicit a bribe from a foreign country. Another was a lawyer that oversaw the prosecution of some of the President's political operatives and political hacks—criminals, as it turned out. They oversaw the prosecution. The President is attacking them. The President is using his power to attack him.

My colleagues—who sit at this desk, and this desk, and this desk, and this desk on the Senate floor—think it is OK to acquit him and then tell me that he is going to quit acting the way he acts.

No sentient human being, including the Presiding Officer, would possibly think that way. Ms. Liu was scheduled to testify under oath before members of both parties at our hearing in the Banking Committee tomorrow morning. We need answers as to what she would have said. Were there discussions and decisions she was part of as U.S. attorney involving the President's associates that he didn't like? Was he afraid more would come out about the actions of some of the President's associates, the criminal actions? Was she aware of efforts by the President and his political appointees to interfere in the operation of our justice system? We need a swift and thorough DOJ inspector general investigation of these prosecutorial decisions.

With every passing day, we don't see a humbled President. We see a President unleashed. Again, he didn't learn a lesson from impeachment. Actually, he learned a lesson from his acquittal. The lesson he learned is that he can do whatever he wants. He is a President unleashed. He is bent on turning the arms of a government that is supposed to serve the American people into his own personal vengeance operation—his own personal vengeance operation.

I implore my colleagues: We can't let that stand.

The Department of Justice is supposed to be impartial and immune from

political influence, but it has become no more than a personal weapon, or it is becoming—it is not there yet, but it started to be—a personal weapon the President can unleash on his political enemies.

As I said, I am not a lawyer, but I know enough to know the Department of Justice and the executive branch are not there to serve the President of the United States. The Department of Justice and the executive branch are there to serve the same people we do—the people of Ohio, the people of the Presiding Officer's State of Utah, the people of Maine, Iowa, Tennessee, and every State across this country. No one—no one—should be above the law.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Wyoming.

AMERICA'S TRANSPORTATION INFRASTRUCTURE ACT

Mr. BARRASSO. Mr. President, during the State of the Union, President Trump called on Congress to rebuild America's infrastructure. He specifically asked Congress to pass America's Transportation Infrastructure Act "to invest in new roads, bridges, and tunnels all across our land." The Senate is ready to answer President Trump's call.

America's roads and bridges are important to every State, every community, and every Tribe in the Nation. The quality of our roads affects everyone. Our economy is built on a well-functioning road system that allows products from rural areas—like Utah, like Wyoming—to get to our population centers. Interstates like I-80, in my home State of Wyoming, are critical arteries of commerce. America's roads create American jobs, move America's economy, and they fuel America's economy.

In 2015, the U.S. transportation system moved a daily average of roughly 49 million tons of freight. That is an average of \$53 billion worth of freight every single day. The quality of our roads has to keep pace. We must maintain and upgrade and, where necessary, build America's highway infrastructure.

Last July, the Senate Environment and Public Works Committee, which I chair, unanimously passed America's Transportation Infrastructure Act. The vote was 21 to 0. I introduced this bipartisan bill with fellow leaders on the committee—Ranking Member CARPER, Senator CAPITO, and Senator CARDIN. This legislation will make a historic investment in our roads.

America's Transportation Infrastructure Act authorizes \$287 billion over 5 years from the highway trust fund. That is the largest investment in

America's roads included in any highway bill ever passed by Congress. Our bill is going to help the entire country. Senators on our committee represent rural areas like Wyoming, Iowa, and Alaska and urban areas like New York, Chicago, and Baltimore. America's Transportation Infrastructure Act is a win for them all.

Over 90 percent of the money in our legislation will go to States through highway formula funding. Formula funding gives each State the flexibility to address its specific surface transportation needs. The formula-based approach has been very successful in the past. It effectively and efficiently delivers infrastructure money to States, and they can make decisions as to which projects to pursue. America's Transportation Infrastructure Act maintains this important approach so States get the funds they need.

America's Transportation Infrastructure Act also expands successful Federal loan leveraging programs. A single taxpayer dollar in one of these Federal loan programs can leverage 40 times that much in actual infrastructure spending.

Between new authorizations, leveraging programs, State-match requirements, and input from other communities, our bill's total impact on infrastructure will be nearly half a trillion dollars.

America's Transportation Infrastructure Act is momentous, and it must be responsibly paid for. When our committee passed the legislation, it included a commitment that the bill should be paid for. The Environment and Public Works Committee doesn't have jurisdiction over revenues for the highway bill. That is why I am working closely with Senate Finance Committee chairman CHUCK GRASSLEY to make sure this legislation is paid for. It is no silver bullet. We all need to find multiple sources of revenue.

One thing the Democrats and Republicans agree on is that the people who use the roads should contribute to maintaining them. This must include drivers of electric vehicles. Right now, the drivers of electric vehicles contribute nothing to the highway trust fund. If these electric vehicles were contributing at a rate comparable to drivers in my home State of Wyoming, it would generate billions of dollars for road maintenance over the next decade.

Electric vehicle fees alone won't pay for this legislation, but it is an important start. I am going to continue to work with Chairman GRASSLEY to find responsible ways to fund the legislation.

It is time to make a historic investment in America's roads and bridges. America's Transportation Infrastructure Act will grow our economy, improve the safety of our roads, and enhance the quality of life for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WAR POWERS RESOLUTION

Mr. GRAHAM. Mr. President, today I would like to rise in opposition to Senator KAINE's War Powers Resolution, S.J. Res. 68.

I have had a longstanding opposition to the War Powers Act. I think it is an unconstitutional intrusion on the ability of any Commander in Chief to defend the Nation and to direct military operations.

This statute passed, I think, in the 1970s. It was a way to deal with the Vietnam war.

I have always believed the best thing Congress can do when it comes to dealing with military operations—longstanding conflicts that it disapproves of—is to cut off funding. I think that is what the Framers had in mind.

The inherent authority of any Commander in Chief to defend the Nation is part of our constitutional checks and balances. The President is the Commander in Chief of the Armed Forces. You cannot have 535 people planning and implementing military operations. That 535 would be Congress. Can you imagine what would happen if our Nation had to respond in real time and we had to get 535 Members of Congress to agree on anything?

This resolution is designed to prevent actions against the Islamic Republic of Iran without congressional authorization. It does acknowledge in the law that we can take defensive action. We can always defend ourselves. I think that is inherent to putting people in harm's way.

I have been consistent over time. I have opposed the War Powers Act being used against all Presidents, Republican or Democratic. I will continue to do so because I do believe, from a national security point of view, this will create a nightmare for our country's ability to defend itself. Every Commander in Chief has to have the latitude and the flexibility to engage enemies of this Nation in real time and to send messages that are clear.

When the President decided to withdraw from the Iranian nuclear agreement early on in his Presidency, I supported that action. We are trying to find a way to replace it with something that is more sustainable and acceptable to the region and the world. Without boring everyone with the flaws in the Iran nuclear agreement, I thought it was a bad deal. It gave the Ayatollah and his henchmen a bunch of money without their having to change their behavior. It was tied to their nuclear program and had nothing to do with their missile program or their being the largest state sponsor of terrorism.

Now you see Iran has been acting out since this agreement has been signed.

Iran has been involved in operations in Yemen, Lebanon, and throughout the entire region. It has captured American sailors on the high seas and humiliated them. Its efforts in Lebanon put Israel's very existence at risk by its flooding Lebanon with weapons that could be used to destroy our friends in Israel, and it is the largest state sponsor of terrorism.

I applaud the President for standing up to the Iranians. They have attacked the largest oilfield in the world in Saudi Arabia, and they have attacked international shipping in the Strait of Hormuz.

The President decided to use military force against Soleimani, who was a member of the Iranian Revolutionary Guard and a commander who was on the international no-fly list—for lack of a better term—who was sanctioned by the U.N. I think he was a legitimate target of war because he had been pushing war against the United States for decades.

We have had at least 500 to 600 soldiers killed in Iraq from IEDs that had been developed in Iran and had been used inside Iraq. They have been very, very lethal to American forces.

Now we find ourselves in a position wherein Iran is getting more provocative, and the worst possible thing Congress could do would be to send a mixed signal.

I want the Iranians to know that the Trump administration would like a new deal and a better deal but that it has to occur through negotiations and that if they continue to dismember the region and develop technology that could destroy our friends in Israel or that could one day come to our homeland, they will be met with all options on the table.

The authors of this resolution are friends. Senator KAINE has had a longstanding concern about the original AUMF that had come right after 9/11. It is one thing to try to rewrite it; it is another thing to use the War Powers Act to tie the hands of the President at a time when our Iranian enemies—and they are the enemies of the United States and the region and the world—are becoming more provocative. The Iranian people could be a great ally one day, but the Ayatollah is a religious Nazi, in my view, and I can't imagine why we are doing this now. It makes conflict more likely, not less.

If this passes, the President will never abide by it. No President would. It will be vetoed, if that is the appropriate way to do it, but it is going to have no effect on his ability to conduct military operations. It will have an effect on our enemies' perception of the will of the United States to stand up to Iranian aggression. It will have an effect on our allies: Can you really trust America? Our friends in Israel are watching with great concern about this debate.

I will oppose this resolution—the fundamentally flawed concept of having a statute that would restrict military

operations based on the view of 535 Members of Congress. We can only have 1 Commander in Chief, not 535. I think the War Powers Act, as it has been written, is blatantly unconstitutional.

Having said that, we find ourselves at a time of choosing in the Middle East, for the Iranians are making calculations every day of how hard to push: What would the Americans do if we did this or that? I want the Iranians to understand that when it comes to their provocative behavior, all options are on the table.

Let me tell you the scenario that I fear the most. The Iranians are now up against the wall because of sanctions. What if they reactivate the centrifuges that have been dismantled or at least mothballed? They have probably not been dismantled. What if they began enriching uranium at 20 percent? What if they went from 3.5 to 20 percent? Going from 20 to 90 takes months, not years. What would be the appropriate response? Would that be a hostile act under the War Powers Act?

I know this: It would be an unacceptable outcome for the United States.

I hope the Trump administration is communicating to the Iranians that any effort to have a nuclear breakout—a dash to a bomb—would be considered a threat to the United States, our allies—particularly Israel—and would be met with military force if the provocation were to continue. I can't think of a more dangerous scenario in real time than the Iranians' making a miscalculation that the international community—particularly the United States—will sit on the sideline as they try to ramp up enrichment and have a breakout toward a bomb.

The regime believes that if it can ever get a nuclear weapon, it will be home free, that the world will back off. All I can say to the world is that containing the Ayatollah with a nuke is a non-option for me. If you are in Israel, it is not even close to being an option. What you have to understand is that the Iranians are wanting to make a bomb, not build powerplants for peaceful purposes. They want a bomb for a reason—not as an insurance policy to guarantee the regime's survivability but to enact a religious agenda that is very dangerous, very radical, and very real.

People don't want to believe things like this. After World War I, nobody wanted to believe that Hitler had a plan that included killing all of the Jews. People just thought he was bluffing and talking, rhetoric-wise, just to grab more land and that he would be appeased if you just gave him one more thing. It is hard for peace-loving people to imagine that folks like Hitler actually exist and will do the things they say they will do. It is hard for us here, in the safety of the United States, to imagine that someplace in the Mideast, there is a regime that is bent on our destruction because of our religious differences.

Here is what I do believe: If the Ayatollah had a nuclear weapon, he would

use it, and it would be a competition for the first use. Would the Iranians go after the Sunni Arabs, who are the mortal enemy of the Islamic faith and the regime? Would they go after Israel? There is no spot on the planet for a State of Israel in the radical Shiite theology. Would they come after us, the greatest of all infidels? I don't know where we would be—No. 1, 2, or 3—but we would be in the top three. I do know this: Our Arab allies and our Israeli friends can never let that day come.

The best way to prevent the Ayatollah from having a nuclear breakout is for Congress and this administration and every other administration to make it clear what will happen if you try. We were able to win the Cold War because all parties and every President adhered to the idea that we would stand up to the expansion of communism.

This is one of those moments in history in which I hope we do not miscalculate. The Iranians are watching. North Korea is watching. The world is watching. I am hoping that Congress will not miscalculate because, if we pass this resolution, the chance of war goes up, not down. The chance of a nuclear breakout becomes almost inevitable.

I ask all of my colleagues to think long and hard about how they will vote today. You may think nothing will really happen if this passes because it will never become law as we know law to be in the United States. You are right about that. Yet you are wrong about the signal it will send. It will send a signal that will be picked up by the most dangerous people on the planet that we really don't mean it when we say: When it comes to Iran's getting a nuclear weapon, it will never happen.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. RUBIO. Madam President, in a few minutes, we are going to vote on this resolution to begin debate on it, and what most people would think by reading it is this is a resolution to diminish the chances of war with Iran.

I actually think that if this resolution were to ever pass and actually become law—or I would argue that even this debate we are having now, to some extent—potentially increases the chances of war, and I will explain why in a moment.

First, let me start out by saying I don't question the motives of the sponsors and proponents, the people who are in support of this. These are people with a long history of wanting to assert congressional oversight over the

conduct of armed warfare, and it is certainly something I respect.

The problem is that their intentions and how this will be perceived by the audience that I believe it matters the most to right now, and that is the leadership of Iran, perception and the reality are two different things, and the perception is very serious.

What is the perception? I can tell you, just moments ago, I went online before coming here just to see if anything has been written about it, and here is what I found. It was just one headline. That is all I needed because I think this broadly captures the way it is going to be talked about in the press and all over the world. Here is the headline from POLITICO: "Senate to rein in Trump war powers after Iran strike."

The first paragraph goes on to say: "The Senate is set to pass a bipartisan resolution . . . to limit President Donald Trump's authority to launch military operations against Iran weeks after the U.S. killed a top Iranian general."

That is the opening paragraph of that story. That is basically the way it is going to be reported, and I am going to explain to you why that is a problem.

One of Iran's objectives in the Middle East is to push the United States out of the region. They don't want us in Iraq to help the Iraqis fight ISIS. They don't want us in Syria. They don't want us to have military bases anywhere in the region, including Bahrain, as an example, where one of our major naval fleets is headquartered. They do not want us in the Middle East.

Their strategy to drive us out is attacks conducted primarily by surrogates, meaning other groups—groups they have created, groups they sponsor, groups they arm. Their strategy is to use those groups to kill Americans.

Their reasoning is, No. 1, if they use these groups, it gives them deniability so the world can't condemn them. They will go on and say: It wasn't us. It was some Shia militia or some other group that did it. So they think it gives them some level of plausible deniability.

The second reason why they do it is they calculate that if Americans start to die in the Middle East, the American people will demand that we withdraw from the Middle East. So it is a pressure tactic that they are trying to institute.

They do direct attacks. As an example, I remind you that just a few months ago they were out in the ocean putting limpet mines on commercial vessels, and there were people in the city arguing: We have seen no evidence that it was the Iranians.

Well, it wasn't Luxembourg. It wasn't the Belgians. They are the only people in the region that had the ability to do it, but that is the kind of deniable attack that they seek to conduct and to kill Americans. By the way, the person who ran that program was General Soleimani. When I say "general," he really wasn't a general.

He was a terrorist with a uniform on, but the point being is, that is the campaign Iran is trying to carry out.

When they decide what kind of attacks to conduct against Americans, they weigh a couple things. The first is how many Americans can we kill before America retaliates because they don't want a war with America. They do not want an open conflict with the United States. It is a war they can't and will not win. So they are trying to see how many Americans they can kill, how much they can get away with before triggering a direct response from the United States, and part of the calculus they use to determine that is our domestic political environment.

I believe there is strong evidence that indicates—and I say this just from everything you see—that Iran already miscalculated once. They thought Soleimani could travel the region with impunity and plan attacks to kill Americans and nothing would happen, and they were wrong and they miscalculated. It was evident by their own body language and the things they did in the days after that they truly were shocked that the President took the steps he took. Hopefully, it reset their deterrence level.

We are in a period of time right now where it seems, from all indications, that Iran, at least in the short term, has decided to stand down on some of these attacks, but it is not because they have suddenly found peace in their hearts. It is because they are hoping the political process inside of Iraq will force us to leave there.

Eventually, if that doesn't happen, they are going back to these attacks. They continue to plan them on a regular basis. They continue to prepare for those attacks to happen. What is going to happen when that moment comes and they determine: We believe that the threshold of attack, meaning the number of Americans we kill, the number of attacks we conduct—how brazen they are—we think we can get away with a certain level because in America—in America, the President, Members of both parties, do not want him to attack us.

In fact, they would calculate: If we can even make it deniable, if we can even create some doubt that we were behind it and it wasn't just some other group that was going to attack us anyway, it is going to make it even harder for him to respond.

Now, that is not the reality. The reality of this administration is the reality of what I hope anyone who would ever occupy that position would be, and that is, if they know and they believe that American lives are at risk and they have a chance to disrupt it, they will do so. I believe—and I know this President would—if Americans are attacked and harmed, there would be a strong response in retaliation.

The President has the constitutional power—and I would argue the duty—to do both of those things. The problem

is, the Iranians may not believe it. They may say to themselves: It is an election year. The President doesn't want to start a war. There are Members of both parties who have, as POLITICO's headline says, reined in his war powers and decide that they can strike or conduct multiple strikes and terrorist attacks and miscalculate and elicit a response—a strong response—to which they would have to respond, to which we would have to respond. That is how a war starts.

That is the danger embedded in this resolution, not the intention of its sponsors, whom I truly do believe—I know they are standing for a constitutional principle they believe in. They are not the problem.

The problem is how this is going to be portrayed and how the Iranians are going to take it and what it will lead them to conclude they can get away with.

That is why I say that passing this, having this go into effect, even if the President vetoes it, sends a message, whether you like it or not—and with all due respect I say this—whether you like it or not, the message that this sends is that, in America, Members of both parties do not want the President to respond militarily to an attack and do not want the President to act proactively to prevent one.

That may not be the intention of the sponsors—I don't believe it is—but that will be how it is portrayed, and that is a chance we cannot take. We are playing with fire.

An Iranian miscalculation, an attack that goes beyond our redlines on what we would tolerate, is going to lead to a strong American response, to which they would have to respond, to which we would respond in kind. Suddenly, that is how you find yourself in an escalating conflict and even a war.

So I hope those who are thinking about supporting this will rethink their position because while your positions might be pure in terms of your constitutional views, the foreign policy impact—the real foreign policy impact that even this debate is going to have is to instill, in the minds of some in Iran, that there are certain kinds of attacks they can get away with, and the President's hands are tied by politics in Washington. That is a dangerous proposition and a fire with which we should not play.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). All time has expired.

The question is on agreeing to the motion.

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from

Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—51

Alexander	Harris	Paul
Baldwin	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Hirono	Rosen
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Leahy	Sinema
Casey	Lee	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Whitehouse
Feinstein	Murphy	Wyden
Gillibrand	Murray	Young

NAYS—45

Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hawley	Rounds
Burr	Hoeben	Rubio
Capito	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cramer	Kennedy	Shelby
Crapo	Lankford	Sullivan
Cruz	Loeffler	Thune
Daines	McConnell	Tillis
Enzi	McSally	Toomey
Ernst	Perdue	Wicker

NOT VOTING—4

Bennet	Sanders
Klobuchar	Warren

The motion was agreed to.

DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES AGAINST THE ISLAMIC REPUBLIC OF IRAN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S.J. Res. 68) to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, it has been more than a month since President Trump brought the United States to the brink of war with Iran by ordering the killing of Iran's top general, Qasem Soleimani.

Now, no one here mourns Soleimani's death. He was a ruthless killer. He has American blood all over his hands. But decisions over whether to attack sovereign nations or whether to send American troops to war are not decisions for the executive branch to make. These are decisions that the Constitution vests only in the U.S. Congress. That is why we need to pass, on a bipartisan basis, the War Powers Resolution that is currently pending before this body.

I want to come to the floor today to raise three issues for my colleagues—and I will try to do it briefly—surrounding the President's decision to use force against Iran and what the implications are for us, both as a body and as a nation.

First, when we are talking about the topic, I just think it is always important to level set. I think it is important for us to realize how much President Trump has thrown away.

This is a President who is running a master class right now on creating crises that didn't exist before he started flailing away in the china shop, and then this President claims we all have to get together behind his efforts to clean up the mess that he and his administration largely created.

Let's just remember where we were with Iran when President Trump came into office. When President Trump arrived in the Oval Office, Iran had stopped their quest for nuclear weapons capabilities. They were compliant with an intrusive inspections regime to make sure they didn't cheat on that agreement. Iranian-backed militias had stopped firing rockets at U.S. personnel in Iraq. In fact, those militias were actively working on a U.S.-led project—the eradication of ISIS.

President Obama had unified the entire world against Iran. Even Russia and China were working side by side with the United States to constrict Iran's nuclear program. And with the nuclear agreement secured, this global coalition had essentially been teed up for President Trump, to be used to make new progress to pressure Iran on a next set of concessions, on their ballistic missile program and their support for terrorist proxies across the region.

But President Trump threw this all away. And now, despite the sanctions that he has imposed on them unilaterally, Iran is more powerful than ever. We went from a construct in which we had the United States, Europe, China, and Russia aligned against Iran to a moment today where, on many issues, it is Iran, the European Union, China, and Russia aligned against the United States.

How much ground have we lost? This town tends to view power only through a military prism. So we have kind of lost sight of Iran's provocative actions because, since the strike in Iraq against our troops, we haven't had front-page headlines about what Iran is doing.

Let's talk about that strike for a moment, because we need to make it clear that, contrary to the administration's assertions, the Soleimani strike did not deter Iran at all. They levied a barrage of rockets at our forces in Iraq that were designed to kill. Some suggested that night, or the next day, that maybe their attack was calibrated to sustain minimal damage. Now we know that is not the case. In fact, it was calibrated to try to wipe out over 100 American soldiers. They missed. But,

of course, now we are finding out that they actually didn't miss. At first, the administration reported no injuries. Then, it was a few. Then, it was dozens. Now the injury report is over 100. Thank God that nobody was killed.

But let's be clear. Iran fired rockets that injured over 100 American soldiers, and we didn't respond at all. I am glad we chose a path of military deescalation, but nobody in this administration and none of their allies in Congress can pretend that we "restored deterrence."

Second, it is important to note that Iran is retaliating. They are retaliating all over the region. In Iraq they are stronger than ever before. They have a new Prime Minister-designate who is incredibly close to Iran. They managed to get a vote in Parliament—non-binding, admittedly—to kick all American soldiers out of that country. We are still in the middle of a negotiation to try to keep some American military presence there to fight ISIS, but Iran has used this opportunity to get more and more embedded in the Iraqi infrastructure. And the protests—the anti-Iran protests that were happening in Iraq—are no longer making headlines because many of those elements are now lined up against the United States instead of against Iran.

Remember, Soleimani was working every single day to try to get American troops out of Iraq, and it may be that he gets closer in death to his goal than he did while he was alive.

In Yemen, Iran is fighting back. It is hard to see into the relationship between the Houthis and the Iranians, but the Houthis are acting out in provocative ways that are fundamentally different today than they were prior to the death of Soleimani. They are restricting humanitarian aid. They are launching attacks against civilian sites. We don't know that the Houthis are undertaking these actions because of orders from Iran, but it is likely that it is not coincidental that the Houthis' increase in activity in Yemen, further destabilizing a country that is really important to the United States, is happening at the very moment that Iran is looking for ways to get back at the United States for the Soleimani strike.

Remember, ISIS and al-Qaida are inside Yemen. The wing of al-Qaida that has the clearest designs against the United States takes advantage of the chaos inside Yemen to recruit, to grow, and to expand their territory. So as the Houthis are further destabilizing Yemen, the enemies of the United States are potentially getting stronger. Iran is, once again, back on the march inside Yemen.

Then, in Lebanon we had this moment in which there were protests on the streets that were demanding a Lebanese Government free of corruption and free of Iranian influence. We were this close to getting a technocratic government in Lebanon that might—that might—finally break the grip of

Iran on elements of Lebanese politics. Instead of taking advantage of that moment, the United States decided that it was going to cut off aid to the army that was protecting the protesters. The combination of that mistake and then the assassination of General Soleimani allowed Iran to upend the momentum that was running against Tehran inside Lebanon.

Now guess what we have in Lebanon. We have a Hezbollah government in Lebanon. Instead of getting a citizen-focused technocratic government, we have an Iranian-aligned Hezbollah government in Lebanon.

Iran is fighting back. They are escalating. They may not be shooting missiles at American military bases, but they are gaining ground. They are taking provocative actions throughout the region.

It is really important for us to understand that. It is really important for us to understand how we are losing ground in places like Iraq and Yemen and Lebanon and how much stronger Iran is getting as a direct consequence of the action that was taken without congressional authorization.

My third and last point is this. Even if we pass this War Powers Resolution, this President is still going to maintain that he has a Mack truck-sized loophole through which he can run military action overseas without coming to Congress.

As for the President's article II authority, he has it. I am not denying that the President doesn't have constitutional authority to protect America prior to a congressional authorization, but the President's article II authority has morphed over time into a monster, and Congress needs to do more than just pass War Powers Resolutions to contain this Godzilla.

For years, Presidents of both parties have stretched executive war-making power too far. I have been on this floor criticizing a Democratic President—President Obama—who I argued should have come to Congress for authorization for airstrikes against Libya and should have come to Congress to ask for authorization before launching an offensive against ISIS, or waging drone wars in Yemen and Pakistan. But President Trump has taken this abuse to new levels, and the threat of falling into a new war with Iran, based on whispers of intelligence and without any authorization from Congress, is a real possibility that we have to take seriously in this body.

In fact, I listened to an administration official this week make the case that the President was actually authorized to kill Soleimani because the IRGC, the military group that he led, was listed by the administration as a terrorist organization.

I know that many of my colleagues have heard the administration make elements of this argument as well. That is a ridiculous argument that fails on its face. Remember, the administration, not Congress, designates who

is on the terrorist list, so you cannot argue that the executive-level designation of a terrorist group is a declaration of war. It is not even a debatable proposition, but the administration is apparently making it.

So what I am saying is that we need to be looking toward the reform of the war powers process more broadly. The overreach of multiple administrations proves the need for an enforcement mechanism for Congress and, more specifically, definitions around the circumstances in which a President can use force before coming to Congress—a new War Powers Act. It should sunset the existing authorizations of military force and force us to come back to the table and write new authorizations for the military engagements that we still need to be in overseas, and it should create templates for new authorizations of military force that include reasonable sunset provisions on those new AUMFs and protections to make sure that those authorizations don't get stretched to cover groups and geographic areas that were never contemplated by the legislators who drafted the initial authorizations.

For many folks, it feels all too familiar to be down here today having this argument over the President's military escalation with Iran. We are talking about manipulated intelligence, a drumbeat of war. We are listening to the administration and its advocates bully Congress and the American people into avoiding this debate—the suggestion that, by questioning U.S. military objectives overseas, we are somehow hurting the troops.

It all brings back these flashbacks of the disastrous path to war in Iraq. This vote is essential, in my mind, so that we warn ourselves against going back down that wretched path again. So, yes, let's pass this resolution, but we can't stop there. Congress needs to do our job to reform the war powers system so that this President and future Presidents of both parties respect both Congress's role and the deepest responsibility that we all have to the American people when we make a decision to go to war.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today to discuss my concerns with respect to Iran and to express my support for the Kaine resolution, of which I am a cosponsor.

No American mourns the death of Iranian General Qasem Soleimani, and my thoughts remain with the servicemembers who were injured by Iran's retaliatory ballistic missile attacks in Iraq. The President was wrong to diminish their wounds by referring to them as "headaches." Traumatic brain injuries are serious, and the President's comments undermine efforts to educate our military personnel about their potentially lasting consequences. Unfortunately, the President still does not seem to grasp that his words and actions have real consequences.

Tensions with Iran and the potential for miscalculation remain exceptionally high. We are likely in a period of calm before the storm. No serious analyst doubts there will be a future Iranian violent reaction to the death of Soleimani and continued pressure by the United States.

This temporary calm is the result of several factors. First, Soleimani's death has caused a disruption in the command and control of the IRGC Quds Force. He is not irreplaceable, but he is very difficult to replace. Second, Iran's principle objective in Iraq is to expel the United States, to get them to leave Iraq.

The killing of Soleimani has given Iran political leverage it did not imagine, and violence at this time could dissipate that advantage, especially as Iraqi political leadership remains in flux. Finally, the tragic downing of the Ukrainian airliner swiftly reversed an outpouring of nationalistic ardor in Iran, with renewed criticism of the Ayatollah. Again, Iranian violence in Iraq or elsewhere at this time could exacerbate internal opposition.

The Iranians are likely to continue to act via proxies. For example, Iranian-backed Shia militia in Iraq have signaled their intent to avenge the death of Popular Mobilization Forces Deputy Commander Muhandis, who was killed along with Soleimani.

Our national security interests related to Iran, Iraq, and the counter-ISIS campaign are on a negative trajectory because of the administration's policies and the impulsive decision making we have seen. Since coming into office, the Trump administration has waged a maximum pressure campaign against Iran that has included crippling sanctions, the unilateral withdrawal from the Iran nuclear deal, and now the killing of Soleimani.

Secretary Pompeo and the President have stated that the goal of this campaign is allegedly to bring Iran to the negotiating table, but it instead has had the opposite effect of driving Iran so far into a corner that it now sees little downside to escalating and direct conflict with our country. In addition, the ripple effect of the so-called maximum pressure campaign has resulted in the following: the disruption of counterterrorism operations in Syria and Iraq to defeat ISIS; the direction from the Iraqi Parliament to remove U.S. troops from Iraq; the resumption of Iran's nuclear program; and the growing diplomatic distance of the United States from our traditional allies and partners. That is not what anyone would call a win. It should be clear to all that these policies are not working.

The administration continues to let events in the region dictate our response rather than proactively and strategically shaping them, in collaboration with our allies and partners, in a way that benefits U.S. national security and foreign policy objectives. We should take the opportunity now to

step back from the brink of conflict, engage in real diplomacy with Iran, and to rebuild our relationship with Iraq. We need a diplomatic channel, either directly or through third parties, to avoid miscalculation on either side that could lead to military conflict.

Such efforts in Iraq, however, have been made all the more difficult because of our reduced diplomatic presence in Baghdad. Indeed, according to the inspector general for Operation Inherent Resolve, the State Department has indicated that—in his words—"the ordered departure . . . has affected all operations of Mission Iraq, and has limited the Mission's ability to help Iraq become a more resilient, independent, democratic country, and to support counter-ISIS efforts."

Unfortunately, the situation at the U.S. Embassy in Iraq is indicative of our country's entire diplomatic structure, which has been hollowed out and hampered at every turn. I am particularly concerned that Secretary Pompeo has not assumed the traditional role of the Secretary of State in advocating for diplomatic options but, instead, has been the loudest voice in the administration for violence and confrontation. Weaponizing diplomacy as the first step, rather than the last, is a sure path to diplomatic failure.

War with Iran is not inevitable, but the risk that we stumble into conflict because of the President's misguided policies has never been higher. As dictated by the Constitution, the decision to take the Nation to war rests solely with the Congress. The Kaine resolution is an important step in preserving the constitutional role of Congress in matters of national security.

Some have argued that Congress should not debate the issues of hostilities with Iran. They claim that questioning the President's policies means one is not an opponent of the Iranian regime. I wholeheartedly disagree. Before being sent to war, our troops deserve to know that the Nation has determined the objectives of the armed conflict to be valid and worthy of their potential sacrifice. Our military men and women deserve to know that they have a clear mission and that they have the full backing of not only the Congress but also the American people whom we represent.

The administration not only owes the American people a transparent explanation for escalating conflict with Iran but also a credible strategy to conclude hostilities, if they occur, and ensure an enduring peace. As we have painfully experienced in Iraq and Afghanistan over much of the last two decades, securing the peace is no easy task.

I am also deeply troubled by the evolving and, at times, contradictory justifications offered by the administration for the killing of Soleimani. Even in a highly classified briefing to Senators following the strike on Soleimani, the administration failed to provide relevant details. There is simply no justification for refusing to

share intelligence with Congress that underpins the administration's assessment that Soleimani posed an "imminent threat" to Americans in the region. Determining imminence requires a careful and thorough analysis of both the immediate intent and the immediate capabilities of the enemy. The administration has not provided a sufficient response to the Senate on either point.

The President has repeatedly demonstrated a willingness not just to bend the facts but to indulge in outright fabrications. This behavior is particularly concerning and unacceptable when it may result in the deployment of troops into harm's way. Congress has a responsibility to demand and, if necessary, challenge the basis for assertions that could be used to take this country to war.

We must not repeat the mistakes that led us to war in Iraq in 2003. I voted against that conflict, in part because I believed it was an unnecessary war of choice and the Bush administration had not provided the American people with a sober assessment of the likely costs or the nature of the threat.

Going to war in Iraq took our focus off the priority effort to defeat al-Qaida and consolidate gains in Afghanistan, a decision that has contributed to our inability to secure the country in the years since. Once again, we are risking an avoidable conflict in the Middle East at the expense of our efforts to ensure the enduring defeat of ISIS and to place increased emphasis on the great power competition with China and Russia, in line with the National Defense Strategy.

Conflict with Iran is not a hypothetical proposition given the steadily escalating cycle of violence we have witnessed over the past 2 years, which has ultimately led to the outbreak of conventional military action between the United States and Iran involving the killing of Soleimani and Iran's retaliatory ballistic missile strikes in Iraq.

Iran has also announced that it will no longer comply with constraints placed on its nuclear program by the Joint Comprehensive Plan of Action, or the JCPOA, likely resulting in a reduction of the so-called "breakout" timeline for Iran to produce enough fissile material for a nuclear weapon. Meanwhile, President Trump has declared repeatedly that he will not allow Iran to acquire such a weapon. Absent capitulation by Iran or a change in course by the administration, the President appears to be creating a situation wherein his only option is military action when it comes to preventing Iran from acquiring a nuclear weapon. However, we have received no assurances that this administration would consult with Congress and seek authorization in advance if it believed it needed to take such military action. Congress cannot stand idly by as the President careens toward possible conflict.

The potential of conflict with Iran has already upended the priorities outlined in the President's own National Defense Strategy, led to the deployment of nearly 20,000 U.S. troops to the region in the last year, disrupted our operations against ISIS, and made Americans less safe.

The administration's ill-conceived approach has not worked, and the time has come to try real and sustained diplomacy rather than relying on blind faith in the power of coercion. I urge the President to change course and engage with our allies and partners with the goal of seeking a diplomatic solution to the current situation immediately.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

ORGAN ALLOCATION SYSTEM

Mr. BLUNT. Mr. President, Missourians and many of our closest neighbors waiting for the life-changing moment that happens when you have a liver transplant now have to have one more hurdle in the process that they have to go through to make that happen. There is a new, and I think terribly flawed, organ allocation policy.

Senator MORAN and I have really led an effort to slow this down. We have both been the chairman of the Health and Human Services Appropriations Committee. We understand how that agency is supposed to work and how some of these healthcare issues are supposed to be handled.

Frankly, I don't think either one of us think this one has been handled in the right way. With the policy we see today, nearly half the country is disadvantaged by a new policy that has been put in place.

It used to be that when someone donated a liver, those organs were matched with the transplant candidates, first at the local level, then regionally, and finally at the national level. It is my belief, and I think Senator MORAN's belief, that when you know your neighbors are going to benefit from that decision, you are more likely to make the decision that you want to be part of that organ donor community. In the neighborhood where we live and where the Presiding Officer lives, I think people have approached this in a pretty dynamic way, wanting to be part of that.

In Missouri, 17 percent of people are organ donors or at least willing to be organ donors. Other States in the Midwest and the South and, frankly, the rural parts of the country just simply have the highest donation rates of people who are willing to be an organ donor. That is not the case everywhere. In New York, for example, 32 percent of

people are organ donors. There is a big difference between 73 percent and 32 percent. I don't know how much of that difference relates to the fact that in Missouri and Kansas and Arkansas and other places, people look at this and they think: If I am willing to be an organ donor, then people I know—people whom my kids go to church with, go to school with, people we go to church with, people we see in the grocery store—have a better chance, if they have that crisis in their life, to benefit from it than others do.

On February 4, a new policy went into effect that will take livers that were specifically donated by Missourians and allocate them to other parts of the country. You will no longer know, if you are an organ donor, that the people who live closest to you have the greatest chance of getting that organ that you have been willing to donate. The change in liver allocation means that roughly 32 percent fewer liver transplants will happen in Missouri than will happen otherwise.

Senator MORAN is joining me here on the floor. We have both talked about this a lot. We had the group come into our offices. They are supposed to be making this system work. In Missouri, we have six transplant centers. We currently have 109 people on the transplant list—10 of them are younger than 18 years old—and they simply will not have as good an opportunity or likelihood to have a transplanted, lifesaving liver than they would have had before.

It is not just Missourians who suffer. As much as 40 percent of the country will see a decrease in what was available to them. In my view, this was not decided by transplant experts. Most of them have talked to us, in fact, about their concerns about having to transport—in this case again, livers—longer distances, having to take more time and expense to get that organ than they would otherwise.

It was decided by what appears to be an unaccountable government contractor—at least unaccountable to us. We have talked to them about this. We have been trying to make a case that makes sense and trying to make them not rush through this, but they did. The contractor in this case serves as the administrator of the organ allocation system and is the determiner of who gets the organ. It seems to me that there is a conflict there. Contractors held a contract for nearly 35 years. Again, it seems to me that competition might be a good thing here.

This policy became a policy without due process, without transparency, and I think without fully evaluating the consequences. I think it was rushed. In fact, even the Department of Health and Human Services—I will mention again, Senator MORAN and I have chaired their appropriating committee, and we shared our concerns on this. They failed to fully exercise the authority they had.

I turn to Senator MORAN now. I think we can do that based on how we asked

for this time. I join him as he talks about his concerns and my concerns. We had people come to us and talk about this and how important it is. I am glad to join him on the floor today.

I am disappointed for people in both of our States and in our part of the country, really, who are going to be disadvantaged by this new policy, where significant donors where we live are going to be having their donations sent to States where people simply don't sign up to be part of this process. If they did, there would have been no interest in changing the other system.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I rise to support the remarks of my colleague from Missouri, Senator BLUNT. I thank him for his leadership. He is in an important position as the chairperson of the Health, Education, and Labor Appropriations Subcommittee, which is responsible for appropriating funds to the Department of Health and Human Services. I serve on that subcommittee with him. He is a leader in so many ways.

I am so pleased that we are allies in this issue of life and death for Kansans and Missourians. To my colleagues on the Senate floor, it is really a life-and-death issue for many of your constituents across the country but particularly in rural areas, in the Midwest, and in the South.

The decisions that are being made have huge consequences that will affect families, individuals, and their lives today and for years to come. I express my concerns and my deeply held belief that the Department of Health and Human Services is failing to do its job. Their harmful actions will damage the liver allocation policy in this country in the way I just described.

The policy discussion we are having here today is important. It is important any day, but it is relevant since National Donor Day is this Friday, February 14.

I want to take a moment to thank those across Kansas and Missouri and around the country who have donated their organs to give that gift of life. Senator BLUNT is right. I think there is a tendency on the part of people to donate an organ knowing that somebody—maybe they don't necessarily know them, but somebody who might live down the street or live in the same community or live in the same State. There is a sense of community across this country that is being destroyed. The end result of that is there will be fewer donors donating organs for the lives of others.

These changes to the United Network for Organ Sharing's distribution policy will redistribute the organs from States and regions that have high organ donor rates to areas that have historically underperformed. This results in patients in Kansas and those in the Midwest and Southern States to wait a much longer time for the organ.

I have spoken on this topic on the Senate floor before, as this destructive

policy was pushed forward. I spoke in 2018. We are still here today. The lack of interest and concern exhibited by those involved in this process is appalling to me. I stand here today because of the outright refusal of the Secretary of Health and Human Services to halt the implementation of this damaging and unfair health policy that has not withstood examination by either medical experts or our Nation's judicial system. In fact, the U.S. district court has been forced to place multiple injunctions on the implementation of this policy last year as HHS tried to force this policy upon patients across the Nation, despite a lawsuit from a collection of our Nation's best transplant centers.

The organizations that are fully engaged in opposing this process are the people who transplant the organs to those who are in desperate need of it. They are the experts—the surgeons, the transplant centers in universities and hospitals across a wide swath of the country. HHS has ignored the initial injunction order and began to implement this harmful policy. They had to seek a second injunction in order for the injunction to be upheld. In explaining the court order, this district judge in the district of Georgia described the policy as “difficult and wrenching,” “creating profound issues and institutional disruption” and concluded that this policy will undoubtedly cause harm to patients, particularly those in rural areas.

There is also mounting evidence that the United Network for Organ Sharing and its CEO have acted in callous disregard for rural areas in the Midwest and South throughout the development of this policy. These are the same areas that have the highest donation rates and play an enormous role in the life-saving transplant system. The people who live there are the ones who are being harmed.

Those who are crafting and implementing this system continually disregard the evidence that shows these areas are already suffering under the suffocating weight of HHS's new policy. As I said before, this policy tosses aside all public concerns from patients, transplant surgeons, and hospitals on best practices to improve the availability of organs across the Nation. There is no reason to have a regional fight. There are ways to do this that benefit all regions of the country.

It also carries the risk of decreasing those organ donations that will then damage everyone. This limits availability and access to donated organs and damages the ability for major transplant hospitals—in the case of Kansas, the University of Kansas Hospital—to perform these services for patients.

This is particularly frustrating because dating back to December 2017, the board of the Organ Procurement and Transplant Network has approved an equitable liver allocation process that served the entire community's

best interest. This was a necessary policy reform that took years of consideration that would benefit the entire country, based on compromise by transplant experts, patients, and important stakeholders.

That policy was abandoned. We were assured when it was abandoned by OPTN and Health Resources—or HRSA—that public comments would be considered. That policy that took years to develop and involved the valuation of experts and a give-and-take in a process was overturned so easily. We were promised we would have the opportunity for those who have concerns about this policy to have input, and the reality of that fact is that was a lie. It was not true.

Many concerns made by patients, by transplant centers, by surgeons were never considered in OPTN's rushed process to finalize the policy. The reasons they were not considered was because of the overwhelming negative response that caused the entire comment system to completely shut down. People across the country commented on it with such frequency that the ability for the telephone system to log the input crashed. Of course, did OPTN wait until they could get those comments and consider them? No, they made the decision without that input. In fact, the president of OPTN has informed many commenters in the transplant community that their concerns over the new policy were not even read by the board that approved the policy.

So the many transplant hospitals, surgeons, and medical professionals who had deep concerns and took time out of their busy days to express them were never heard. They were ignored. These are the people who are tasked with saving lives through the transplants they perform each and every day. Yet their opinions were essentially deemed invalid. It appears that HRSA's and OPTN's making policy in such a reckless fashion has become the normal state of affairs.

Despite the continual efforts by Senator BLUNT and me to get Secretary Azar to review, to modify, to consider, to reconsider, or to put on hold this policy, we have had no success. Additional oversight is desperately needed to restore some semblance of common sense in the actions and policies that are being taken and deployed.

I am deeply disappointed in the actions by Secretary Azar, HRSA, OPTN, and UNOS. This process has been flawed from start to finish, guided by not what is best for the country but how best to sidestep a specific, single lawsuit. Organ procurement and allocation policy is too important to be decided in this fashion.

Secretary Azar, the University of Kansas Health System typically performs 8 to 10 liver transplants per month. Since this policy has been implemented under your administration, it has performed zero transplants. This is as a direct result of the policy. At KU Hospital, current estimates are

that it may take up to 6 months before it is able to provide another one of these lifesaving donation organ operations. Meanwhile, those on the transplant list in Kansas watch their wait times grow, and their hope begins to dwindle.

This is really a lot about hope, and it is about saving lives, but if you are on a list that continually grows longer while you are waiting for that organ, what a depressing, discouraging circumstance for you and your family.

Secretary Azar's policy is causing direct harm to the people of my State. It is time that he steps up and takes responsibility for the actions of his Department, which are causing real harm to patients.

These transplant hospitals from across Missouri and Kansas and elsewhere have written the President and Secretary Azar within the last 2 weeks and have asked for a halt in the policy until we have had time to let a judge decide the issues in the court case and also to make sure that we ultimately get it right.

I call on Secretary Azar to halt the implementation of this disastrous policy and save lives from being unnecessarily lost.

Again, I thank my colleague from just across the State line, from the home of the Kansas City Chiefs, for his support in this effort. He has a voice that has to be heard and that will be heard, and I am pleased to be allied with him in his concern for the patients in my State and for the patients in his own.

I yield to the Senator from Missouri.

Mr. BLUNT. Mr. President, this policy is shortsighted and wrong, and it was rushed to its implementation. There was no reason for any of those things to happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

OPERATION HOMECOMING

Mr. WHITEHOUSE. Mr. President, it is February 12, and I am here to remark on an anniversary and tell a story. It is quite appropriate that Senator LEAHY should be here on the floor with me because he is a great friend of Vietnam and has done great work in the U.S.-Vietnam relationship. We are about to be joined by Senator CARPER, who flew as a Navy pilot in Vietnam.

This story goes back to February 12, 1973. February 12, 1973, was the day that our POWs were freed in Vietnam. I told this story to DAN SULLIVAN when we were having dinner together a few months ago. He said: SHELDON, you should tell that story on the Senate floor and put it in the Senate RECORD. So, at DAN's suggestion, I am here today.

What happened on February 12, 1973?

Two things happened. The first was that the prisoners being held in North Vietnam were released at the Hanoi Airport and were delivered into U.S. custody, and that went quite smoothly. The North was organized, for the pris-

oners were there, and the planes were there. Our prisoners, who were released from North Vietnamese custody on that day—this one will look familiar to many of us here; he was our colleague John McCain—climbed aboard their aircraft and went to the Philippines for medical treatment.

Down at Tan Son Nhut Airport, in Saigon, things were a little bit different. Huey helicopters had been sent off to the rally point at Loc Ninh, where our helicopters were to pick up 27 American prisoners of war who had been held by the Vietcong, and that did not go smoothly. The helicopters took off. The military aircraft, with their hospital insignia, were waiting at Tan Son Nhut for our soldiers and Foreign Service officers to come out. Actually, the longest held POW in the group who was going out to the Tan Son Nhut Airport was a Foreign Service officer who had been held for more than 7 years. They were all waiting and waiting and waiting and waiting, and there were disagreements and uncertainties and suspicions. So the day on which the POWs were supposed to return and go to Tan Son Nhut wore into evening and then into night.

While everybody was waiting, there were some dignitaries there. This was the U.S. Ambassador to Vietnam at the time, Ambassador Ellsworth Bunker. This was the Deputy Ambassador. This was the first time a U.S. Embassy had two Ambassador rank officials. It was because the operation was so big in Vietnam. The Deputy Ambassador was a guy named Charles Sheldon Whitehouse, who was my father. Because he was there and because I was visiting—one of a very small group of dependents who was in Vietnam at the time—I was there. I was on the field at Tan Son Nhut during that long day as we waited for the prisoners to come out and as we tried to get intel on what was holding things up, on why the helicopters were not bringing them back.

The day became night, and they brought out huge klieg lights that lit up the field. I can still remember the bright insects flying around in front of the lights, against the dark sky, in the hot night, on the hot tarmac of the airport. We waited and we waited and we waited, and we did not know when this was going to happen or what had gone wrong.

Then, late into the night, we finally heard the familiar "toka, toka, toka, toka" coming—the sound of the helicopters—which every person who spent time in Vietnam during that conflict remembers very, very well. Pretty soon, they came close enough that you couldn't just hear them—you could see them. You could see the red belly lights flashing on the helicopters. What happened is something that I will remember always. Obviously, after many years like this, memories can fade a little, but I think I have this right because it struck me very much at the time.

The helicopters came in, and they hovered in a row over the airfield. Now,

anybody who knows helicopters knows that the easiest thing to do is to fly them forward. It is harder to hover the helicopter than it is to fly it forward, and it is harder to hover a helicopter near the ground, because of the variations in the ground effect, than it is to hover it up high. What is very hard, which shows a mastery of helicopter piloting, is to be able to hover low above the ground in traffic, with other helicopters around that are beating the air and making it difficult to stay in place. So here came these helicopters. They lined up, one behind the other, at a hover—maybe 4 or 5 feet off the ground. You could hear the whine of the engines, and you could hear the beating of the rotors. The air was all kicked up by the wind that they had put up, but those pilots held that position.

I have never spoken to any of those pilots, but I took it as their last salute to their prisoner-of-war friends as they brought them out to freedom and, ultimately, home. This was their way they could show their skills and salute these men who were coming home.

Then all at once—it must have been by a signal on the radio—all of the helicopters—and I remember maybe 8 or 10 of them—settled down at once to the landing. All of the skids hit the pavement. They all wobbled a little bit and then settled. The engines kept roaring for a minute. Then, on another signal, all of the engines shut off. You could hear them wind down, and you could hear the blades slow down, and you could hear the quiet fall over the Tan Son Nhut airfield.

Out of those helicopters came these spectral men—these pale, undernourished, often ill men. One had to be carried out on a stretcher. One of them was photographed while greeting Ambassador Bunker. How glad he must have been to have seen a U.S. Ambassador. I don't know that there has been any time in the history of the U.S. Foreign Service when anyone has been more happy to see a U.S. Ambassador than these men who came off those helicopters were to see our Ambassador of Vietnam and to know that they were on their way home. With Ambassador Bunker and my father was also Fred Weyand, who was the MACV commander—the overall commander—of U.S. Forces.

One of the legendary Vietnam reporters, named Fox Butterfield, wrote about this evening in a story in the New York Times, and he closed out the story in this way:

After the freed men had boarded the plane for the flight to Clark [Air Force Base], General Weyand put his arm around Gen. John Vogt, the commander of the Seventh Air Force. They stood looking at the [departing hospital] plane.

"It's the greatest day we've ever had in Vietnam," General Weyand said.

I had the chance to share that day. I had the chance to see what those remarkable helicopter pilots did in that final salute to their colleagues.

I thank DAN SULLIVAN for urging me to come to the floor and tell that story on this February 12 anniversary of their freedom.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, while the distinguished Senator from Rhode Island is still on the floor I recall that, just within the last year, I had the privilege of being on the lawn of our former Embassy in Saigon. I stood there with other Senators, Republicans and Democrats, and with officials from the State Department, and I was mesmerized as Senator WHITEHOUSE recounted what he had observed there a lifetime ago.

I think every one of us had the same reaction. We stood there and looked around. We could feel the helicopters, we could hear the helicopters, but of course we didn't see them. Mostly, I saw the face of my dear friend, the Senator from Rhode Island, and heard what he said. What he was saying ultimately showed his pride in being an American.

I thank Senator WHITEHOUSE for recounting that again.

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Mr. President, on another subject, last month the United States and Iran came frighteningly close to war. If any of Iran's missiles had killed American soldiers at those military bases in Iraq, President Trump would have reacted very differently and, most likely, without consulting Congress.

Rather than the self-congratulatory statements by the President who depicted the brazen, ballistic missile attacks against our bases that failed to kill any of our troops stationed there a victory, we could be in the midst of a calamity spiraling out of control.

Obviously, I think of the soldiers who have brain injuries from the attack, injuries that the President dismissed as minor headaches. Well, those who have actually served in the military and were not able to get deferments from serving know that an attack like that can produce lasting injuries.

This is the nightmare scenario we have to avoid. We have been on a path to war with Iran ever since President Trump recklessly abandoned the Iran nuclear agreement, with no credible alternative strategy. There was nothing to replace it.

Today, while the White House insists there is no need for the resolution we are debating because the danger is behind us, the possibility of war with Iran remains very real. As we saw only a month ago, we could again find ourselves on the brink of war with Iran at any time.

For too long, this President and previous Presidents have sent U.S. forces into hostilities without obtaining the consent of Congress, and the Congress has been a willing party. The Congress has abdicated its constitutional responsibility as the sole branch of government with the authority to declare

war. It has permitted the misapplication of open-ended and outdated authorizations for the use of military force.

The result is endless wars the American people don't support, at a cost of thousands of American lives lost and trillions of dollars spent that could have been far better used fixing problems here in our own country.

No one denies any President's right to act in self-defense, to respond to an imminent threat if reliable intelligence shows that such a threat exists. But neither is it credible to rely on an authorization for the use of force to remove Saddam Hussein—an authorization that was based on lies by the White House about nonexistent weapons of mass destruction—to justify attacks against Iran nearly two decades later.

Not a single Member of this body who voted for that use of force in 2002—and I did not because I had read the intelligence and knew the stories coming from the White House were not true. Not a single Member, though, who voted for that use of force can honestly say they could have imagined or intended that authorization for the use of force in Iraq would be used to justify armed hostilities against Iran so many years later.

A few weeks ago, a top administration official said it would be a mistake for the Senate to even have a debate about the President's war powers. He said it would embolden Iran's leaders if they saw that there are differences of opinion among us. Has he ever read a history book? Has he ever read our Constitution? He said it would be wrong for us to disagree on an issue as consequential as attacking another country, as though in the United States we should simply serve as a rubber stamp for the President.

That is so beneath the United States of America. That is so beneath our Constitution. It is so beneath the democratic principles we believe in, to be told by a top administration official that we shouldn't even debate an issue like this. As others have said, including Senators in the President's party, that is an insult, it is dangerous, and it belies a fundamental lack of understanding of Congress's role in this democracy.

Others, including the President, have falsely accused Democrats of sympathizing with Mr. Soleimani or even with the Ayatollah, both of whom are responsible for heinous crimes. That kind of baseless, partisan slander and fearmongering is what we have come to expect from this White House, but it belittles the Office of the Presidency, as does a statement from a top official that we should not discuss our disagreements.

But too many of our friends in the other party—unlike the way the Senate used to be—have remained mute. By saying nothing, they condone such reprehensible behavior. One can only wonder how they would react if the ta-

bles were turned and they were the targets of such despicable, *ad hominem* attacks.

Under the Constitution, it is our job, it is our responsibility to debate and vote, especially if it involves war and peace and the lives of our servicemen and women and their families.

I would make a suggestion to the President and to members of his Cabinet: Read the Constitution. And I would say to those in this body who too often ignore what the Constitution says: Read the Constitution. Think of the lives lost, the many more grievously wounded, the families destroyed, the millions of innocent people forced to flee the carnage, and the huge amount of tax dollars wasted because of that fateful vote in 2002. A vote based on false pretenses. A vote that made the world less safe. We can't afford to repeat that unforgiveable mistake.

This resolution, of which I am a co-sponsor, ensures that debate will happen, and that we will have another chance to exercise our authority under article I of the Constitution and do what is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

VIETNAM

Mr. CARPER. Mr. President, our Presiding Officer, if I am not mistaken, is a veteran himself—I want to say Army. Navy salutes Army. Different uniform, same team.

I want to express my thanks to Senator WHITEHOUSE for his comments relating to the Vietnam war. I stand before you as the last Vietnam veteran serving in the U.S. Senate, with the death of John McCain.

I had the privilege of leading a bipartisan congressional delegation—three Democrats, three Republicans—back to Southeast Asia to try to find out what happened to our MIAs in 1991—Vietnam, Cambodia, Laos. One of the people with me in that delegation—amazing meetings we had with the brandnew leader of Vietnam, a Gorbachev-like character with whom we met during that visit. We carried with us to Southeast Asia on that trip a roadmap to normalize relations between the United States and Vietnam. Vietnam by that time was not North Vietnam, South Vietnam. Out of our meetings, we started something that went really well and led to normalizing relations. John McCain worked it here and John Kerry worked it here in the Senate. A bipartisan codel worked it in the House.

One of the members in the codel was a former POW—was Air Force, shot down over Vietnam, POW for 5 or 6 years—named Pete Peterson. He was a longtime friend and still is my friend. He became the first U.S. Ambassador to a united Vietnam all those years ago.

I know every time I run down to the Lincoln Memorial and I run back to the Capitol, I run past the Vietnam

Memorial with the names of 58,000 brothers and sisters with whom I served all those years ago.

So I want to express my thanks to Senator WHITEHOUSE for raising up our colleagues, my brothers and sisters, as he just did.

CLEAN ECONOMY ACT OF 2020

Mr. President, I rise today with a message to our colleagues and to this world we inhabit: Climate change has become the greatest threat to our planet. There are others, but this is the greatest.

This image right next to me was designed by climate scientist Ed Hawkins. From left to right, these are called warming stripes. In fact, this work of art is called “Warming Stripes.” It visualizes our planet’s annual average temperature from 1850 over here to 2018 over there, going from deep blue to a brilliant orange and red.

What this design fails to capture is just how menacing these rising temperatures have been and will continue to be for our planet and what this means for all of us who inhabit this planet today and will in the years to come.

Our rising seas are already at the highest levels ever recorded. Our Nation’s leading scientists have warned us that if we fail to start seriously reducing carbon emissions now, by the end of this century, we may well witness sea levels rise another 6 feet. I am 6 feet tall. Another 6 feet of sea level rise puts a large part of the United States and, frankly, other nations around the world underwater—underwater. The east coast and west coast won’t look like they do today.

For America alone, that would result in an estimated \$3.6 trillion—that is trillion with a “t”—\$3.6 trillion in cumulative damages to our country’s coastal properties—think gulf coast, west coast, east coast, Great Lakes—\$3.6 trillion in cumulative damage to our country’s coastal properties and infrastructure over the next 70 years.

I might add that the Flood Insurance Program for our country is, the last time I checked, billions of dollars and maybe tens of billions of dollars underwater, in the red, already.

While global temperatures warm, ice caps melt, and sea levels rise, we also know that the extreme weather we are witnessing throughout the world is not going to get better. It is going to get worse. The devastating hurricanes and typhoons, torrential rains and catastrophic floods, the heat waves and drought-fueled wildfires will only become more dangerous and more disruptive to our economy and to our lives. Let’s take a look at one of the places where that happened just last month.

This is a real picture from Australia. It is not a movie; it is a real picture. This is Australia.

The world watched in horror last month as bushfires scorched millions of acres of forest in Australia—an area the size of my native State of West Virginia. At least 25 people died in those

bushfires, including 3 American firefighters. Experts initially estimated that 500 million animals died in those bushfires. More recently, that was doubled to 1 billion animals—1 billion, in 1 country.

Meanwhile, our country has been no stranger to tragedy and devastation caused by wildfires—including fueled by drought and heat—like those that continue to plague the State of California. Scientists tell us that by 2050, we could face wildfire seasons that burn up to six times more forest area each year than today. I will say that again—wildfire seasons that burn up to six times more forest area each year than today.

If we do nothing to address carbon emissions, the extreme weather events we are experiencing now will pale in comparison to the devastation that lies ahead.

Last year, some 13 agencies across the Trump administration released a report that predicted that the United States could see climate-related losses of up to half a trillion dollars by the end of this century—half a trillion dollars.

If we do nothing, the effects from climate change could slash up to 10 percent of our gross domestic product by the next century—more than double the losses of the great recession. How much is 10 percent of our GDP? More than double the losses of the great recession.

This is something provided to us I think by the United Nations and called U.N. Warning. In order to avoid the most catastrophic impacts of climate change, the world’s leading scientists have warned us that we need to limit global warming to no more than 1.5 degrees Celsius—a 1.5-degree increase in Celsius, period. To do that, humanity would need to collectively reduce greenhouse gas emissions to net zero by the middle of this century. Right now, we are not on track to meet that goal. I wish we were. We are dangerously close to losing our only shot.

As the latest United Nations annual “Emissions Gap Report” made clear, collective global efforts to reduce greenhouse gas emissions are falling short, and time is running out.

If we want to avoid the most catastrophic impact of climate change, we need to step up. We need to step up our game.

This is a chart that indicates the countries that are not in the Paris accord. It looks like—I am looking at all these countries here, and I see only one country, ours, that is in red. Ours is the only country today that is not in the Paris Agreement.

The climate crisis is one that can be solved only by everyone who shares in the plan working together as one. That is why nearly 200 nations came together in common cause to implement the Paris Agreement and why they are working together to find solutions to the climate crisis, but instead of leading the world in this fight, America stands alone.

We know the EPA already has the authority and tools to reduce greenhouse gas emissions, but under the Trump administration, EPA’s policies have been used to increase harmful emissions, not decrease them. President Trump is putting America in the slow lane while much of the rest of the world races toward a global clean economy.

President Trump claims Americans must choose between a healthy economy on one side and a healthier planet on the other side. In the words of a good friend of mine, that is malarkey—or in the words of President Trump, that is—fill in the blank. Come up with whatever you do.

Choosing between environmental progress and economic growth is a false choice. On the one hand, we do face a very real choice, one that was made clear in the U.N. report released this past December. We either act now on climate change or we “face the consequences of a planet [that has been] radically altered by climate change.”

I say let’s choose to save our one and only planet, planet Earth, and I say it is time for the United States to once again lead the world in this fight.

The next chart we are going to take a look at is something called the Clean Economy Act, which we introduced yesterday with over 30 cosponsors. I introduced with my colleagues—33 of them, actually—legislation that will put the United States on a path to achieve net zero emissions by 2050. The Clean Economy Act heeds the call for bold climate action while fostering economic growth that is fair for everyone.

The Clean Economy Act empowers the EPA to use the authorities and tools already at its disposal to reach net zero greenhouse gas emissions by no later than midcentury, 2050. This is the quickest way we can jump-start governmentwide climate action, by empowering agencies to use the tools they already have.

The Clean Economy Act builds upon successful climate programs in States, cities, and private companies, and ensures that economywide climate change actions continue regardless of who sits in the Oval Office. Our legislation sets important guardrails to make sure all Americans reap the benefits as we move our country toward net zero emissions.

Here are just three examples of those protections. The Clean Economy Act minimizes costs. First, EPA must maximize greenhouse gas reductions while minimizing costs to consumers and providing regulatory flexibility to industry.

Our next floorchart shows that the bill prioritizes environmental justice. Under our legislation, the EPA must consider and protect frontline communities. We know climate change disproportionately affects impoverished and disadvantaged communities. More often than not, these communities are downwind from dangerous pollution,

located near industrial facilities or factories, or located in areas that are already experiencing flooding and extreme weather fueled by climate change. This legislation will prioritize input from and investment in those communities.

Our next chart on the Clean Economy Act prioritizes American workers. The Clean Economy Act focuses on American competitiveness and on the American worker. Our legislation compels EPA to use American workers, domestic materials, and strong labor standards to get the job done—relying on our country's talents to get to net zero emissions no later than 2050—no later than 2050. The Clean Economy Act also requires EPA to work with other Federal agencies on programs to protect and uplift communities and workers displaced or dislocated by our transition to a cleaner economy, such as in places like West Virginia where my sister and I were born.

This legislation will not come at the expense of jobs or economic growth. Moving toward a clean economy will drive innovation and create millions of new jobs here at home. The Clean Economy Act is about realizing our true economic potential, potential that under this administration, sadly, has gone untapped. The Clean Economy Act hits what we call the sweet spot between organized labor, business community, and environmental group support.

I just want to thank the many organizations that helped us in crafting our bill, the Clean Economy Act, including the Environmental Defense Fund, Moms Clean Air Force, the League of Conservation Voters, NRDC, Environment America, the BlueGreen Alliance, and the Utility Workers. I also want to thank the organizations that joined me yesterday in unveiling this legislation, including the United Steelworkers, Sierra Club, the National Wildlife Federation, and CERES.

To say the least, it is disappointing that President Trump has decided to abandon the tremendous economic opportunity to create millions of clean energy jobs. There are already 3 million. Sadly, for the folks in West Virginia and Wyoming and other places, they lost a lot of coal mining jobs. The country is down to about 65,000 coal mining jobs, but folks who can be trained to mine coal can be trained to create windmill farms off of our coast. Folks who have the skills to mine coal have the ability to create corridors of fueling stations for hydrogen and natural gas and to create charging stations for electric-powered vehicles in the heavily traveled corridors across our country.

Part of what we tried to do in this legislation is to make sure that we looked out for those workers and to help make sure they have a place to go and ways to support themselves and their families while at the same time having clean air to breathe where they call home.

I think it is shameful that our President has forsaken our country's leadership in this fight for our one and only planet for the sake of misplaced political gain. That abdication of leadership will be a dark, indelible stain on his legacy, but while President Trump may not be up for the climate challenge, our colleagues and I are here to say to the world that the majority of Americans are ready for that challenge. We have faith in American innovation. We have faith in American workers to take on this climate fight and win. The Clean Economy Act will put the United States on a path to once again lead the world in the fight against climate change while lifting up America and American workers.

This bill corrects our President's failure to lead on this issue and directs the EPA and other agencies to move swiftly to address this serious problem for the good of our planet and for the strengthening of our economy and creation of even more new jobs.

Famed economist John Kenneth Galbraith once said these words:

All of the great leaders have had one characteristic in common: it was the willingness to confront unequivocally the major anxiety of their people in their time. This, and not much else, is the essence of leadership.

That is worth repeating. All of the great leaders we have had share one common characteristic, and that is the willingness to confront unequivocally the major anxiety of their people in their time. This, and not much else, is the essence of leadership. I am Tom Carper, and I approve that message.

The Clean Economy Act is our message to the rest of the world about climate leadership. The United States is preparing to once again lead the fight against this climate crisis. America, let's roll.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Madam President, I am sorry. Will the Senator from New Mexico please yield?

Mr. UDALL. The Senator from New Mexico will yield.

Mr. CARPER. Thank you, Madam President, and I thank the Senator for yielding to me.

Madam President, former Senator and Vice President Joe Biden was blessed with many wonderful staff members over the years, and one of them was John DiEleuterio.

I would like to take just 3 minutes to mention him. He just passed away. He was a giant in the State of Delaware and also served in the military.

REMEMBERING JOHN M. DIELEUTERIO

Madam President, I rise today on behalf of Delaware's congressional dele-

gation, Senator CHRIS COONS and Congresswoman LISA BLUNT ROCHESTER, in tribute to John M. DiEleuterio, a dedicated public servant who proudly served our State and country throughout his long career and life.

John was what I call a happy warrior—in the military for many years and in his service to the people of Delaware. He supported a multitude of nonprofits that focused on helping people in need. He was a person who loved people, and they loved him just as much.

John exemplified what it means to be the "go-to person" to get things done. His relationships and friendships with people throughout our State enabled him to get things done with speed and dispatch and, I would add, with a sense of joy.

John's persistence and innate ability to work a room and make connections, his strong work ethic and ever-present sense of humor was the core of what made John so successful. His impressive career included serving as State director—and you know how important our State directors are in New Mexico, Delaware, and Tennessee. He was State director for then-Senator Joe Biden, his longtime friend and former University of Delaware classmate. They were classmates together for a number of years.

His service included more than 30 years of combined service as a decorated officer in both the Delaware and Maryland Army National Guard. He had an impressive career for over 26 years with the Campbell Soup Company as their vice president of human resources.

In addition, John gave freely of his time serving all kinds of community groups, including serving on the board of the Delaware Military Academy, a blue-ribbon public high school. He served on the board of Freedoms Foundation at Valley Forge, the Leukemia Society of America, the U.S. Service Academy Selection Committee, the Cavaliers Country Club, St. Anthony's Communion Committee, and New Castle County Ethics Commission, among others.

He was equally committed to his family, including his wonderful wife Marlene for 30 years, their children and grandchild, and the many friends he made along the way, and they are legion.

So on behalf of Senator CHRIS COONS and Congresswoman LISA BLUNT ROCHESTER, I am privileged to rise today to evoke the name of our dear friend John DiEleuterio. People from many walks of life loved serving with him, loved being with him. I am certainly one of them. The people of Delaware and our country are very fortunate to count John as a fellow Delawarean, and it is a far better place to live and work because of his stewardship.

I will close with the words of another beloved Delawarean who used to say this: If you want to be happy for an hour, take a nap. If you want to be happy for a week, take a vacation. If

you want to be happy for a lifetime, help people. Think about that. I will close with the words of another beloved Delawarean, who used to say this to us and to me: If you want to be happy for an hour, take a nap. If you want to be happy for a week, take a vacation. If you want to be happy for a lifetime, help people. That is exactly what John DiEleuterio did his whole life. He helped people. I said earlier he was a happy warrior. Boy, he was, and we are going to miss him. Thank you for allowing me to add these comments.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

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Mr. UDALL. Madam President, thank you for the recognition, and I very much appreciate Senator CARPER talking about the wonderful, young employees whom we have around us and the young people who come here who are dedicated and work, and we have some great ones on the committees. I see Mary Frances back here behind you, and I have Matthew Padilla over here on my right. There are so many great young people that just come to Washington or live in Washington, and they are really dedicated to see that we do a good job. It is wonderful to hear you talk about that young man.

I rise to affirm the Congress's constitutional authority to declare war and to support the War Powers Resolution before us. The chilling events of last month bring into stark relief why this resolution is absolutely needed. The President brought us to the very edge of war with Iran by his attack on its top general.

We must pass this resolution because, even if the President does not respect the plain words of the Constitution, the Members of this body should.

Look at this chart here. Here they are, clear as day: The "Congress shall have power . . . to declare War." The Congress alone has the power to declare war. The President does not.

I did not come to this view recently. I held the same view under President Obama's administration. I spoke up against his plans for airstrikes in Syria, and I voted against an authorization for those airstrikes in the Senate Foreign Relations Committee. So, whether you support war with Iran or not, I urge every single Member here to stand up for our Constitution and to vote for this resolution.

Last month, as we were on the brink of war with Iran, the whole Nation and the whole world watched on edge, braced for conflict, bloodshed, and terror. Yet, to this day, this administration has not provided a serious justification for the strike on General Soleimani. The administration claimed the 2002 authorization for use of military force against Iraq justified the strike, but the AUMF, which I voted against, authorizes force "against the continuing threat posed by Iraq," not any threat posed by Iran. That author-

ization was passed in 2002, and here we are, 18 years later, and it is being specifically used to get us into another conflict.

The administration claims Soleimani posed an imminent threat to U.S. troops, diplomats, and citizens, but the administration gave no convincing evidence to the Congress or the American people that an attack from Iran on U.S. interests was imminent or that the killing would have stopped such an imminent attack.

During the Senate briefing, when we asked questions trying to get real answers about the evidence and why they didn't seek congressional approval, the administration wouldn't answer our questions. One Republican Senator, at the briefing that we had from administration officials, called that briefing the "worst" briefing he had ever had. He said it was "insulting and demeaning."

While the President claimed on Twitter, without evidence, that Iran had targeted four U.S. Embassies, his own Secretary of Defense disavowed that claim. We come to find out that the operation was planned months in advance and was even broader than General Soleimani. That is not a response to an imminent threat. That is an unauthorized and thus unconstitutional act of war.

In the end, the President all but admitted the attack was retaliatory, not defensive, when he tweeted that any justification for the strike "doesn't really matter . . . because of [Soleimani's] horrible past."

This President has misled the public on many things, big and small. It is clear that he will mislead us on the most consequential matters we face—war and peace. He cannot be entrusted with the sole power to risk lives of American troops in war, and he does not have that power under our Constitution.

The President's strike took us to the edge of an unauthorized war, but we didn't get here overnight. The President's unilateral decision to withdraw from the Iran nuclear agreement in May of 2018, combined with his disastrous maximum pressure campaign, destabilized the region. Since we pulled out of the nuclear agreement, the President dramatically increased the number of troops in the Middle East, despite his campaign promise to do the opposite.

Between May and December of last year, the President deployed an additional 15,000 troops to the Middle East. Days before the strike on Soleimani, he sent in 1,000 more Army and Marine troops. Post-strike, he sent 3,500 more troops. In response to our strike, Iran withdrew from the nuclear agreement's limits on the production of centrifuges, uranium enrichment, and research, decreasing the time for Iran to acquire enough fissile material for one bomb.

The Iraqi Parliament voted to oust U.S. troops from Iraq, which could lead to an increased ISIS presence. We have

refused to leave the country, setting up a conflict with our ally Iraq.

Our strike pushed the Iraqi Government and the people of Iraq closer to Iran and unified the Iranian people against us just as protests against the Iranian Government were sprouting up. The region is still a powder keg, and we just don't know when and where Iranian proxy forces will attack our troops.

Finally, worst of all, Iran launched a missile attack against U.S. troops in Iraq, risking American lives. While I am grateful no one was killed, I am anguished that more than 100 of our soldiers suffered from traumatic brain injury from the attack. While the President said he doesn't consider their injuries serious, I agreed with the Veterans of Foreign Wars, who asked the President to apologize for that callous remark. The President's insults to injured servicemembers is appalling, and his injury to the Constitution is deeply troubling.

We have a President who claims he doesn't need congressional approval to go to war with Iran. He has actually said that, under article II of the Constitution, he has "the right to do whatever I want as President." That sounds like a claim of total unlimited power. That isn't what our Constitution was about.

The Founders of our Constitution would be shocked to hear that and even more shocked to learn that Congress refuses to act to assert its power. The Founders rejected the notion that the President alone should have the power to send the country into war. They believed it unwise to vest the President—one person—with that power. So they vested that decision with the people's representatives, to make sure that any war would have broad-based support.

That decision makes as much sense today as it did 230 years ago. It is our job, as the representatives of the people, to decide whether to go to war. The American people do not want war with Iran. Yet, even if you disagree with the overwhelming will of the American people, the issue before us is not whether you would support war with Iran or not. The issue is whether we are going to uphold our oath to support and defend the Constitution.

The War Powers Resolution before us exercises that constitutional prerogative, ending hostilities unless Congress authorizes it. This President is fully capable of starting a war without getting congressional approval or even without consulting with us. He has already proved that.

The stakes are too high. We cannot wait until the next time he orders a strike he can't justify with consequences no one can predict. We cannot wait until the next time he gambles with American soldiers' lives. Now is the time to set straight the boundaries, not only for this President but for future ones as well. Now is the time to vote for this resolution and to send the President a message that there is

no support in Congress for an unconstitutional war of his own making.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I come to the floor today to add my voice to the debate on the system of checks and balances that are essential to and that define our very democracy. I am here, in no small part, because of a series of events that unfolded slowly over 40 years, and then, with a sharper tempo, near the end of last year, culminated in a strike by U.S. forces on January 3 that killed General Qasem Soleimani of the Quds Force of the IRGC of Iran.

That precipitated a series of briefings and debates here among Senators and with our constituents in the country, and, today, after an important 51-to-45 vote to proceed, we are debating this measure. This measure is S.J. Res. 68, from Senators Kaine, Durbin, Lee, and Paul, to direct the removal of U.S. Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

I want to simply make a few observations today about the importance of the war making power and the role of Congress.

In my view, we are at a critical inflection point in our Nation, one where history will question whether we served our Nation or served more partisan or parochial aims.

To be clear, I do not seek or want a war between the United States and Iran. I think our best path forward is a multilateral, several-nations-coming-together initiative to deescalate rising conflict between the United States and Iran, with so many—tens of millions of people—displaced from their homes around the world from conflicts ranging from Syria and Yemen, to the Democratic Republic of the Congo, to the Central African Republic. There is conflict in many places in our world, and our country has seen what happens in the absence of effective diplomacy.

But I came to the floor today really in no small part because, in the group briefings that happened after the strike that killed General Soleimani, a number of points were made that I think deserve to be addressed.

One, a suggestion was made by one participant that simply debating whether the authorization for the use of military force that was adopted by Congress back in 2001 or 2002—simply debating whether that authorized this strike and simply questioning whether this strike should be authorized and future actions authorized by this Congress would weaken the morale of our troops and would send a signal to our enemies and adversaries of a lack of resolve by our Nation, and so we in Congress should simply allow the President, under article II, which gives to him, the Commander in Chief, responsibility, to simply exercise the overwhelming capabilities of the United States and our tremendous Armed

Forces to keep us safe and to push back on our adversaries.

I don't think anything could be further from the truth. I actually think it strengthens our democracy when we engage in a robust and vigorous debate on this question. I actually think showing that we have confidence in our Constitution and that we in the Senate realize that, over decades, we have gradually allowed our central role in authorizing war to be weakened—that retaking some of that role is, in fact, showing confidence in our democracy.

Let me be clear up front. I support the men and women of the U.S. Armed Forces, and I have great confidence in their ability to carry out their mission. I am clear-eyed about the threat that Iran, the Islamic Republic of Iran, poses to our interests, to the region, and to the world. As one of the world's great state sponsors of terrorism, as one of the great sources of instability in the region, as a country that for 40-plus years has been genuinely opposed to much of what the United States believes in and tries to do in the region—I am clear-eyed both about supporting our troops and about the threat posed by Iran. But if we are to do right by the men and women of the U.S. Armed Forces, whom we ask to go around the world and to serve us and to sacrifice for us and to keep us safe, we can do no less than to ask whether we are sending them with the full support of the American people.

This S.J. Res. 68 begins with a simple but important finding: “Congress has the sole power to declare war under article I, section 8, clause 11 of the United States Constitution,” and “Congress has not yet declared war upon, nor enacted a specific statutory authorization for the use of military force against . . . Iran.” That makes a simple point.

Previous administrations of both parties have overused the authorizations for the use of military force passed here in 2001 and 2002. An overwhelming majority of the currently serving Members were not present for the debates that led to those authorizations, and the fact patterns and circumstances that led to their being adopted have long since passed into history. So if we in this Chamber are to exercise our responsible role, we shouldn't simply let the President take the responsibility and possibly the blame for the conduct of war overseas; we should take that responsibility back on ourselves.

In 2001, Congress authorized the use of force against al-Qaida and associated forces based on the deadly strike against the United States and our territory that happened on 9/11 but did not authorize the use of force against Iran. In 2002, Congress did the same against Saddam Hussein's Iraq, which is one of Iran's greatest enemies, then and now. So, frankly, I think to suggest that either of these former authorizations for the use of military force, or AUMFs, authorize this action goes way beyond its scope.

I have heard from hundreds of constituents at home in Delaware about their rising anxiety and concern, and I have heard from many both currently serving and formerly serving that we should do our job, that Congress has a role, and that we need to debate and demand a strategy from this administration and a path forward that we can articulate and defend.

We are in a scenario now where the possibility of military conflict between the United States and Iran is entirely foreseeable. President Trump has drawn a line in the sand, much as his predecessor did, and said: We will never let Iran have a nuclear weapon.

With the United States having withdrawn from the Iran nuclear deal, the JCPOA, and with Iran and our European allies increasingly further and further apart on their conduct and with Iran restarting centrifuges and restarting enrichment, it is not an unforeseeable moment that, whether weeks or months or years from now but quite possibly months, a team from the senior ranks of our military will go to the President and say: Here is a range of options. That might include striking Iran. That is a fact pattern that requires Congress to have provided authorization.

Yes, I recognize there are exigencies, there are emergencies, there are moments when the President must take action to authorize our Armed Forces to strike in order to defend our troops and to defend our interests at home and abroad, but this entirely foreseeable scenario—one which we should all be working to avoid but which is foreseeable—is exactly why I am supporting the bipartisan resolution introduced by Senators Kaine and Lee.

The Senate must take back its responsibility for authorizing our Armed Forces to protect us overseas, and we need to show clear-eyed support for our Armed Forces and for the path forward.

President Trump, like all Presidents before him, does not have the authority to wage war without consulting this Congress. And Democrats and Republicans are concerned about this administration's apparent indifference toward Congress and its critical role in deciding matters of war and peace.

The House has just passed two measures to restrict the President's war-making powers. The Senate needs to have that same debate, that same discussion, and needs to take up and pass this resolution.

This is how our system of government works best—through respectful disagreement, through thoughtful, informed debate, and through votes in both Chambers to express the will of the American people.

Let me close by saying this to servicemembers whom I meet in Delaware and to many more serving around the country and around the world: War should be our last resort.

If diplomacy should fail in this case or others, I will insist our administration produce a clear strategy and a

mission for our troops that our service men and women can accomplish and that our Congress provide our military with the resources and authorities they need.

We are blessed with a system of democratic governance that challenges us in times when stakes are highest to rise to the occasion and to earn our place in the history of this democratic Republic. We do that by reaffirming our faith in our Constitution, including article I, which gives to this body the responsibility to weigh vital decisions of war and peace.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, debates between the executive branch and Congress over the power to conduct war is not a new topic, but in many ways, I think this debate has been blown out of proportion. A lot of this has to do with the decision made by President Trump, with the advice of his advisers, to eliminate one of the worst terrorists in the Middle East, Qasem Soleimani, who was plotting to burn down the American Embassy in Iraq and also threatened the lives of American troops—to take him off the battlefield. This is clearly within the President's authority under the Constitution. It really isn't a matter of whether Congress needed to give him the authority to do that.

I think we all agree that the President, as Commander in Chief, has to have his constitutional authority to defend American lives and American interests when Congress doesn't have the time—and we don't have the time—or is, frankly, not built for speed when it comes to addressing threats to national security like that.

We do have a shared responsibility, but primarily the responsibility of the Congress can be exercised through our appropriations authority. We could literally cut off the funds that the executive branch would use to conduct operations if Congress sees fit.

If this resolution succeeds, it will tie the Commander in Chief's hands while the threat posed by Iran and terrorist organizations, like the Iranian Revolutionary Guard Corps, the IRGC, and the Quds Force that was headed by General Soleimani, remains high.

Actually, I think the President should be congratulated. Former general David Petraeus said that what the President did by taking Soleimani off the battlefield reestablished some level of deterrence. In other words, if you are going to be stepping into the shoes of the head of the Quds Force and the IRGC to lead terrorist attacks against the United States and our allies, you are going to have to think twice before you do that because you might end up in the same condition that General Soleimani did. Reestablishing deterrence is very, very important because when our adversaries sense weakness, it is a provocation and an invitation to

attack America and our allies and our interests.

Again, I know some of our friends were upset that General Soleimani was taken out by a drone strike, but he was one of the most consequential military leaders in the Middle East and was directly responsible for the deaths of hundreds of American servicemembers, training Shia militias and others in the war in Iraq, providing them with improvised explosive devices. Actually, they are designed so they literally will melt through armor like a hot knife through butter. That all came from Iran and resulted in the deaths of hundreds of American servicemembers.

When a successful mission carried out by U.S. forces finally brought an end to Soleimani's reign of terror, our colleagues couldn't even acknowledge the President's decisive action and that it undoubtedly saved lives. My mind immediately went back to, how did Republicans and Democrats act when President Obama directed the raid that took out Osama bin Laden? We didn't draw partisan lines. We didn't say: Well, he didn't have the authority to do that, so we are going to come back to Congress and tie his hands for the fight in the War on Terror. We didn't do that. The reaction is like night and day between the operation directed at taking out Osama bin Laden and the operation that took out General Soleimani, the head of a terrorist organization from a country that is a leading state sponsor of terrorism in the world.

As I said, I strongly disagree with the claim that President Trump's actions were outside his authority or that he should have come to Congress and sought congressional approval before acting.

You may remember what Congress was doing while the President was having to deal with this. The House was voting on Articles of Impeachment, and then the Senate had to conduct a trial of these Impeachment Articles. Obviously, it failed, but it took up time, where we literally could not have dealt with this emergency action and an opportunity to take a world-class terrorist off the battlefield.

This was clearly not only within the President's constitutional authority, but it was also his duty to prevent and stop threats against the United States, including those posed by the Iranian regime and their allies and the Shia militias. One of the other individuals who died in the attack directed at Soleimani was leader of the Shia militias in Iraq, had been plotting the destruction of the U.S. Embassy there and perhaps even a hostage situation, like we saw in 1979, but also plotting attacks against American servicemembers there assisting the Iraqi people in trying to rebuild their government and provide them a means to govern themselves safely and to eliminate the terrorist threat.

Passing this resolution would limit the President's authority to defend

American servicemembers against imminent attacks and would place our troops further in harm's way. So I will vote against the resolution, and I would implore our colleagues to do the same.

I know that, in an era of Trump derangement syndrome, anything that the President is for some people are reflexively against, and I think this falls in that category. Again, I don't question the motives of Members of Congress in wanting to make sure that the shared powers that Congress and the President have under the Constitution to wage war—I don't question their motives in trying to find the appropriate balance, but here I think we stepped across the line, literally, to try to tie the President's hands as a punishment for conducting a fully authorized operation against one of the world's worst terrorists, something we should applaud rather than condemn.

VIOLENCE AGAINST WOMEN ACT

Madam President, on another matter, over the last year we have witnessed unprecedented foot-dragging, political gamesmanship, and downright obstruction by our Democratic colleagues in Congress on a number of bills. They have derailed the appropriations process. They have knuckle-dragged during important trade negotiations. They have held up things that used to have common support, non-partisan support—things like the Debbie Smith Act.

Of course, the Debbie Smith Act was designed to fund the testing of untested rape kits. This had been an area of broad bipartisan consensus that should be nonpartisan, but we saw the House of Representatives dragging their feet in order to gain leverage against the Senate for months, and they allowed the Debbie Smith Act to expire, along with potentially threatening the funding used to eliminate the rape kit backlog.

The latest tactics have now been deployed, if you thought that was about as low as things could get. The latest tactic is to weaponize the Violence Against Women Act. This is more than a 25-year program, and it is at the forefront of our commitment to support victims of domestic violence and sexual assault. Until recently, it always had been high above the political fray.

The first time this program came up for reauthorization, there were disagreements over some aspects of the bill, but we were able to work together and reach a compromise. That is the only way anything gets done around here—bipartisan compromise. But when it came time to reauthorize the Violence Against Women Act last year, some in the House and some in the Senate saw an opportunity to score political points—not solve a problem, not reauthorize a program we all agree is important and necessary. They saw it as a political weapon. They allowed VAWA, or the Violence Against Women Act, to get caught in the crosshairs of a funding debate and insisted that we

should not fund that vital program because it was overdue for updates.

Well, let me be clear. Both sides agree there are things we could do to improve the Violence Against Women Act, and that is what our colleague from Iowa, Senator ERNST, has been leading on our side. But this “my way or the highway” legislative strategy isn’t the approach that is designed to get anything done, and vital funding for victims of domestic violence and sexual assault should never, ever be used as leverage to gain political advantage.

Though our colleagues allowed the authorization of the Violence Against Women Act to expire, thankfully, saner heads prevailed. It did receive record funding levels last year, but that doesn’t mean we are in the clear. We need to figure out a long-term solution that will reauthorize this important program. As the Presiding Officer knows—as we all know—there has to be an authorization bill and then funding to meet the terms of that authorization. We need both.

Last fall, we thought we were making good progress. As I said, Senator ERNST spent months working with the bipartisan group of Senators, including Senator FEINSTEIN, the senior Senator from California, trying to work on a compromise. Before these negotiations could be completed, Democrats got up and left the negotiating table and headed straight for the TV cameras and held a press conference condemning Republicans for not falling into line on their partisan bill.

Well, what was the big news at the press conference? Not that a deal had been reached or that negotiations were making progress. The Democratic leadership marched up to the microphone and said they would be introducing a near replica of the House’s partisan bill, which doesn’t have the support needed to pass it in the Senate. During the press conference, one of our colleagues, the Senator from Hawaii, even conceded five times that the bill was going nowhere, proving that our Democratic colleagues had no intention of introducing a bill that could become law.

If this sounds familiar, if you have seen this movie before, well, that is because we went through the same exercise back in 2012 and 2013. Our Democratic colleagues used this issue to attack Republicans up for reelection for not supporting their partisan bill at that time, after they chose not to negotiate in good faith for a bipartisan bill.

So I think that is what is happening again. They are not interested in reauthorizing the Violence Against Women Act. If they were actually interested in solving a problem, we would solve the problem and get it passed, but they would rather have the issue that they can use in their campaigns for November and show contempt, frankly, for the people who would benefit from passing the Violence Against Women

Act and turn this into purely a partisan issue.

I believe that our colleague from California, Senator FEINSTEIN, wants to get a bipartisan bill done. I have worked with her a number of times on a number of pieces of legislation. She is a good partner to work with on the other side of the aisle. I know her commitment to continue negotiating with Senator ERNST is genuine, but, frankly, I don’t think she is pulling the strings on the Democratic side.

I think our colleague, the Democratic leader, is the one preventing negotiations here, because his main goal, as we have seen through the impeachment circus and elsewhere, is to become the next majority leader, and he thinks this is the best weapon the Democrats can use to beat Republicans running for the Senate in 2020.

How shameful is that? How degrading and disrespectful is that to the people who would benefit from the passage of a consensus, bipartisan Violence Against Women Act?

I can only hope that cooler heads will prevail and that our colleagues across the aisle—but, principally, the Democratic leader—will just quit weaponizing this dispute over VAWA and return to the negotiating table. Until then, we will keep working on a bill that could win the support of folks on both sides.

Senator ERNST produced such a bill, an alternative to the bill produced by the Senate Democrats, and I am proud to cosponsor that legislation. Overall, this bill sends more funding and resources to the victims of sexual assault and sexual abuse than does the Democrat bill, and it authorizes the program for twice as long. That is critical to protecting the Violence Against Women Act from the kind of partisan games that we are seeing played out today, and it gives the Department of Justice the stability it needs to plan for the future, because it is the Department of Justice that hands out the grants to the various organizations that provide aid and comfort to victims of sexual assault.

While this increased funding would be a welcomed victory for the program, it is only part of what sets this bill apart. It goes further than other reauthorizations by addressing a number of horrific crimes that are being committed against women and girls in our country. Sex trafficking, for example, is not always recognized as a form of sexual assault, and this bill would change that.

It also enhances the maximum criminal penalties for sexual abuse of minors and other vulnerable groups. It takes aim at heinous crimes like mutilation and addresses crimes in rural areas and on Tribal lands.

This bill also takes aim at relatively new threats, like when abusive images and videos are posted online. It will empower victims of this kind of abuse to remove the content from the internet by using copyright takedown authority.

Unlike the Democratic bill, this legislation includes provisions of a number of bipartisan bills that have been introduced by our colleagues in the Senate. One example is a bill I introduced with Senator FEINSTEIN called the HEALS Act, which would remove some of the hurdles that exist between victims of domestic violence and safe housing. One of the toughest things for a victim of sexual violence and sexual assault is finding a safe place to live. This provision that Senator FEINSTEIN and I have included in Senator ERNST’s version of the Violence Against Women Act reauthorization includes greater flexibility for transitional housing so survivors can get back on their feet without fear of losing the roof over their head or exposing themselves to their attacker.

The Violence Against Women Act is a lifeline for countless survivors of domestic violence and sexual assault, and we need to come together to reauthorize this critical program. The bill introduced by Senator ERNST includes a range of bipartisan proposals to strengthen the Violence Against Women Act without the poison pills being offered by the Democrats’ version. I can only hope that our colleagues on the other side of the aisle will return to the negotiating table and work with us to finally reauthorize the Violence Against Women Act. This is simply too important to use as a partisan bludgeon during the runup to the 2020 election.

We need to address the problem. We need to solve the problem applying the 80-20 rule. If you can agree to 80 percent of it, let’s get it done, and we can save the 20 percent we don’t agree on for another day and another fight, and not hold victims of sexual violence at risk, as the status quo currently does.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

MR. VAN HOLLEN. Madam President, I hadn’t planned to say anything about the Violence Against Women Act, but given the remarks from my colleague from Texas, let me just say that the bill that passed the House last year is here in the Senate. While it is true that it did not have a majority of Republican House Members supporting it, it did have Republican votes in the House. It expands protections under the Violence Against Women Act, and, like many bills that passed the House, it had very broad support.

It is sitting right here in the Senate, along with legislation that requires universal background checks to reduce gun violence, along with legislation to get secret money out of politics and make sure we refresh our democracy and reduce barriers to voting, along with many other bills, including a long-overdue increase in the Federal minimum wage.

I would suggest that the best way to find out whether or not it, in fact, has majority support here in the Senate is to let us vote on it, and anyone who

wants to vote against it, obviously, has a right to do so. It might well surprise us and pass here, and then we would have addressed a very important issue.

S.J. RES. 68

Madam President, I am here today specifically to talk in support of the joint resolution offered by Senator Kaine of Virginia that directs the President to remove U.S. Armed Forces from hostilities against Iran without an authorization from the Congress.

The Framers gave Congress, and Congress only, the power to declare war. As James Madison noted, “the history of all governments demonstrates that the executive is the branch of [government] most interested in war and [therefore] most prone to it.” The Constitution “has accordingly with studied care, vested the question of war in the legislature”—meaning in the Senate and in the House of Representatives. The Framers did that because they didn’t want one person—and one person alone—to be able to make such a momentous decision for the entire country.

They wanted to have a clear check on the President’s ability to send our sons and daughters into harm’s way.

The text of the Constitution cannot be more clear. Article I, section 8 states: “The Congress”—not the President—“shall have Power . . . To declare War.”

The resolution before us is equally clear. It reaffirms Congress’s power and “directs the President to terminate the use of United States Armed Forces for hostilities against the Islamic Republic of Iran or any part of its government or military, unless explicitly authorized by a declaration of war or specific authorization for the use of military force against Iran.”

That is what the resolution says. I hope my Senate colleagues see this resolution for what it is: a clear and important reminder to the executive branch of the power granted to Congress by the Constitution. The much tougher votes would come on questions of whether to authorize military action in Iran or any other circumstances. This resolution is a simple reaffirmation of our solemn duty to make these decisions.

Whether or not we agree with President Trump’s approach to Iran or the decision to strike Iranian General Qasem Soleimani, we should all agree that any decision to go to war should be made by Congress, not by the President alone.

The President’s ability to protect the United States and our forces from an imminent threat—or any other power granted to the President as Commander in Chief—cannot, and should not, be a blank check, not for this President, not for any other President.

Why are we here at this moment, discussing this important issue? Because just a short time ago, we almost stumbled into a war with Iran. And make no mistake, the tensions may not be playing out on our TV screens today, and

they may not be making headlines at this particular moment, but it is still a very dangerous and volatile time. The pot is still boiling, and unless cooler heads prevail, it could boil over at any moment. We cannot allow that to happen. We must not fall into another unnecessary war in the Middle East. Certainly, no one should take the United States to war without a full debate in the U.S. Congress and a vote in the U.S. Congress.

How did we get here? The Trump administration came into office with one organizing principle to undo everything the Obama administration did: Undo the Affordable Care Act; get rid of the Paris climate agreement; and, of course, get rid of the agreement to prevent Iran from obtaining a nuclear weapon.

Reversing the policies of a previous President is a campaign slogan; it is not a strategy for the national security of the United States. In the case of Iran, the Trump administration put nothing realistic in its place.

The fundamental idea behind the nuclear agreement with Iran was simple and realistic. It recognized that Iran is a malign influence in the region. But it also recognized that a nuclear-armed Iran engaged in malign activities in the region is even worse. If our strategy could contain the Soviet Union, we could also apply a similar strategy to Iran.

The agreement to prevent Iran from obtaining a nuclear weapon, known as the JCPOA, came from a deliberate strategy and painstaking negotiations to unite key powers—powers that are often in disagreement—allies, competitors, and adversaries, including Britain, France, Germany, the European Union, China, and Russia.

Together, we created and enforced a truly global sanctions regime to bring Iran to the negotiating table to reach an agreement. It was that unity and pressure that succeeded in reaching the agreement to prevent Iran from obtaining nuclear weapons.

It was working. Under the agreement, Iran committed to dismantling large sections of its nuclear infrastructure, to severely limit its production of uranium and plutonium, and it agreed to an intrusive, around-the-clock international inspections. It was compliant with its obligations under the nuclear agreement, and we were succeeding in pushing back Iran’s so-called breakout time—the time it would need to build a nuclear weapon. Even this administration agreed with the international community that Iran was complying with the agreement. There was no need to beat the drums of war.

Then comes the Trump administration, with many of the same people who got us into the unnecessary war in Iraq, and they took a different path. Instead of working to build on the agreement to prevent Iran from obtaining a nuclear weapon, they tore it up. They alienated our allies who, even to this day, are still working to salvage that agreement.

Instead of building on the progress we had made, President Trump launched a campaign of what he called maximum pressure, which has resulted only in total failure.

Secretary Pompeo made 12 demands of Iran as part of the maximum pressure strategy, and the administration has not achieved any of them—not a single one. Instead, faced with increased economic pressure, Iran predictably lashed out. Instead of dialing down its malign activities in the region, it has intensified. Tensions have increased.

Without any endgame or any sign that this administration will negotiate in good faith—any sign of that—Iran has no incentive to change course.

It is long past time that we have a strategy that recognizes simple political geography. We must recognize Iran has a strong hand in Iraq. They are neighbors. They share a long border. They are both majority Shiite countries. Nothing we can do here will change those facts.

Instead of recognizing realities on the ground and smartly countering Iran’s natural advantages in the region, this administration’s policies actually strengthened Iran’s hands. In short, it has taken a bad situation and made it much worse. In this very combustible mix, a single spark can ignite a war. That almost happened just a very short time ago. We were on the brink.

We learned recently that the original action that set off the sequence of escalation may have been based on a mistake. A rocket fell into an Iraqi military compound where we had U.S. Forces providing some training and took the life of an American contractor in Iraq. The Trump administration claimed that the rocket was fired by an Iraqi militia force backed by Iran. Just very recently, Iraq—our ally Iraq—says that the rocket may have been fired not by Iranian-backed militia but by ISIS. We don’t know because the administration hasn’t shared any of that intelligence with us.

Acting on what may have been a false assessment from the start, we then saw a series of escalatory acts. Then, when things appeared to be cooling down, the President ordered the strike against Iran’s top military leader while he was visiting Iraq.

I think all of us know that no one in this Chamber is grieving the death of General Soleimani. He has lots of blood on his hands. Make no mistake, killing him has not weakened Iran’s hand in Iraq in the long term; it has strengthened it. There have been growing calls in Iraq to expel U.S. Forces, including a vote by Iraq’s Parliament, and increasing pressure to throw all U.S. Forces out.

What was Soleimani’s main objective in Iraq? What is Iran’s main objective in Iraq? To get rid of U.S. Forces there. So, in death, Soleimani has gotten closer to his goal of throwing out U.S. Forces than he did in life. That is not

a strategic success for the United States by any definition.

The administration justified its attack against Soleimani on the grounds that he posed an “imminent threat.” At least that is what they said at the beginning. Since then, we have heard a lot of other rationales. They used that particular expression because it has a very specific meaning under international law, and it was the only legally justifiable rationale for ordering the execution of Soleimani.

The problem they have is that it just isn’t true. Soleimani was a very bad guy. He had blood on his hands. But it is not true that he posed an imminent threat under the definition that is applied in the use of force.

We know this because while the Trump administration took a very long time to do it, when they finally provided the Senate with the classified briefing on the situation, it was clear the evidence did not support the claim of an imminent threat. In fact, the information proved the opposite was true.

We have been here before. We have seen what happens when administrations manipulate intelligence or mischaracterize intelligence, which is closer to the case we are looking at now—mischaracterizing intelligence in order to justify a particular course of action.

In the case of Iraq, President Bush, Vice President Cheney, and many other members of that administration were determined to go to war to “remake” the Middle East. They searched for pretexts. They embraced a source called Curveball. They cherry-picked the intelligence to justify their predetermined plan.

We know the end of the story. We know the end of that story. Their claims that Iraq possessed weapons of mass destruction were fake, but the toll of the Iraq war was very real.

The cost in blood and treasure were nearly 4,900 American lives lost, and counting; tens of thousands wounded, and counting; \$2 trillion spent, and counting. The amount we will spend caring for those who bore the battle, and their families, will not be fully known for decades, if ever. The death toll of Iraqi civilians is not precisely known but is certainly horrific.

The biggest winner from the war in Iraq was Iran—Iran—that had fought in an almost 9-year war against Iraq and was able to take advantage of a weakened Iraq. It just goes to show the many unintended consequences of action not thoroughly thought through.

Before we get into another war in the Middle East, whether by design or by miscalculation, let’s come to our senses. A war with Iran would do incalculable harm to the United States and to people throughout the Middle East. It will result in huge loss of American lives and the lives of thousands of other innocent people.

That is why our Founders did not put the power to take our country to war

in the hands of one person. They did not empower the President to take our Nation to war. President Trump has said that article II gives him “the right to do whatever I want as President.”

We know that is not true. We know that is not what the Constitution says. We know that the Framers vested the power to go to war in this Senate and the House of Representatives, and they did it for a reason.

For goodness sake, let us not betray our constitutional duty. Let us, at the very least, have the courage to assert the powers the Constitution entrusts in us.

I yield back the time.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Utah.

Mr. LEE. Mr. President, I rise today to support my colleague, Senator KAINE, in support of this resolution before us, a resolution that would prohibit the United States from conducting offensive military strikes against Iran unless or until some time as Congress may authorize it.

This is how security policy in our constitutional Republic is supposed to work. It is how decisions like these are supposed to be made. Congress authorizes the use of military force and the President—as Commander in Chief—directs the military as it undertakes the effort to complete its missions.

This arrangement gives the American people the best of both worlds—a deliberative, representative legislature to declare war and a single, decisive Commander in Chief to lead the troops.

Unfortunately, Congress has not upheld its end of this responsibility. Our system of checks and balances—while very beneficial to the American people and while giving us the greatest opportunity to protect our freedom, our liberty, and our system of government—imposes a degree of rigor and accountability on Congress, which its Members, unfortunately, sometimes are inclined to shirk whenever possible. This trend has sadly gained momentum for decades, and it has done so under Presidents, House of Representatives, and Senates of every conceivable partisan combination. Now, nearly two decades into multiple wars without clear missions or paths to victory, it is time for Congress to reassert, on behalf of our constituents, our vital constitutional role in American warmaking.

Before addressing the merits of this particular resolution, let me first dispel two very mistaken assumptions being made about it.

First, it is not about defying President Trump. Quite to the contrary, this resolution supports President Trump and his particularly deferential approach—one that defers to the American people, one that accepts, at the outset, the fact that we can’t fight wars all around the globe in perpetuity, and we certainly can’t and shouldn’t do that without the consent of the American people and that of their elected representatives in Congress. Indeed, on this issue, President

Trump is the most restrained and the most Constitution-minded Commander in Chief we have had in decades. I believe he is the most restrained and Constitution-minded Commander in Chief we have had in my entire lifetime. He is exactly the kind of partner Congress needs in order to get the Constitution’s warmaking process back on the rails—back on the same rails that were designed in 1787.

Second, this resolution is not about condemning the strike against General Soleimani last month. After all, the strike against Soleimani worked. He was an enemy of the United States, with the blood of hundreds of Americans and thousands of Iraqis, Syrians, and even other Iranians on his hands. Everything we know about him and his work of terror confirms that he was planning to kill again and to do so soon.

Rather, what this resolution is about is Congress reclaiming its rightful powers to restore accountability and consensus to this most grave of all public policy decisions that we, as Members of Congress, are asked to make.

I understand why Members of Congress are OK with pretending to be pundits on matters of national security, cheering the troops when things go well and attacking the President when they don’t, but we are not just political pundits on cable news shows. We have a job to do based on an oath that we took right here in this Chamber to uphold and “protect and defend the Constitution of the United States.”

In order to enable the President of the United States to do his job correctly, we have to be willing to do ours. You see, this is part of the evil design of the military industrial complex to convince Members of Congress, first and foremost, that they don’t have to and shouldn’t want to put their name on the line when it comes to war power. This unfairly puts the blame and the accountability all on the President of the United States. That is wrong.

Just as importantly, it disconnects the American people from their elected representatives here in the Senate and in the House of Representatives from a process that really could put not just American treasure but also American blood—the blood of their own sons and daughters—on the line. That is not right.

The Founders could not have been any clearer about this. That is especially true when it comes to the greatest Founder of them all. Remember when the Miami and Wabash Indians attacked Americans north of the Ohio River between 1791 and 1794, President George Washington carefully confined his military operations to exclusively defensive measures. “The Constitution,” Washington wrote, “vests the power of declaring War with Congress, therefore no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject, and authorized such a measure.”

Our first President, George Washington, was a humble man, and he was a modest man. One of my favorite paintings in this entire building can be found in the Capitol Rotunda, where you see George Washington handing his commission back to the Continental Congress. This at the moment when he had ascended the apex of power; this at the moment when he was the most respected, well-known person, certainly, in the Western Hemisphere, possibly in the entire world; this at a moment when, in any other land and any other point in world history, George Washington was in a position to become a Monarch, a King, he chose not to be. He said right then and right there: not on this soil; not on my watch. I am handing my commission back to the Republican institution that employed me to begin with.

So, yes, he was a humble man, and he was a modest man, but this wasn't just an act of humility or modesty; it was duty. He understood that he had taken an oath to uphold, protect, and defend the Constitution of the United States. As President, he would not deviate from it because he had taken an oath that he wouldn't.

Under the Constitution—whose drafting President Washington oversaw before he was President of the United States, while he was President of the Constitutional Convention and to which he swore an oath of office later—the power to direct war would reside in him as President of the United States as Commander in Chief, but the power to declare war resided exclusively with Congress.

This was, of course, very different than the form of government that we had left just a few years prior to that. Under our previous system of government, the one based in London, the Parliament had no role in declaring war. Declaring war was up to the Executive, the Monarch, the King. The King could—and in many instances would and did—take the country to war. It was the job of the legislative branch of government, of the Parliament, to figure out what to do about it, how to fund it, and where to go from there, but it was up to the King and the King alone to take us to war.

This, Alexander Hamilton explained in Federalist 69, was exactly the kind of system we didn't want. It would be up to Congress in the first instance to declare war. Congress and Congress alone would have this power. Why? Well, because it is the branch of government most accountable to the people with the most regular intervals. When the American people are called upon to put their own blood and treasure—their own sons and daughters on the line in the name of safety, security, freedom—nothing else can suffice but a vote in Congress. George Washington understood that.

Donald Trump understands that today, and to his great credit, President Trump has followed this standard. He has countered recent Iranian ag-

gression through economic sanctions. They are working, and it appears that Iran is standing down. Tehran has already had to cut back support for international terrorist organizations and its nuclear program, and its oil exports are plummeting. Iran's economy has been crippled, contracting by almost 10 percent. The Iranian people know it is the fault of their own government, their own government officials. Tens of thousands of Iranian protesters have taken to the streets to protest their own government, even knowing that such action may lead them to injury or imprisonment or even death.

Even the New York Times has admitted that the Iranian regime is losing the will to confront the United States. There may be a pathway to peace and prosperity for the Iranian people through sanctions relief and trade if the Iranian Government is willing to cease its support for radical Islamic militant organizations and abandon its pursuit of nuclear weapons and ICBMs.

Until then, the United States, under President Trump's leadership, will maintain maximum pressure through sanctions and defend the United States from any further attacks.

I stand firmly behind President Trump in this course of action, and like President Trump, I believe that we ought to avoid war if we can. After nearly two decades of military entanglement in Iraq and Afghanistan—much of which was fostered by Department of Defense bureaucrats deceiving Congress and misleading the American people, as we have recently tragically learned—the last thing we need is another aimless, protracted conflict in the Middle East. The other last thing we need is to have such a conflict occur without Congress even authorizing it.

In any event, war with Iran is currently neither warranted nor consistent with our strategic interests. To be very clear, under this resolution, the President would retain all of his authority as Commander in Chief to take defensive measures against active threats to U.S. persons, assets, and the homeland, including our Armed Forces abroad and our diplomats in U.S. Embassies, even without a declaration of war or authorization for the use of military force. Such power inheres and resides in article II. He already has that power. Nothing in this resolution can or would or even attempts to undermine or erode that power.

However, even when defensive measures are conducted, the administration should share the justifying evidence with Congress. This, you see, is how this inherent tension between, on the one hand, the congressional war declaration of power in article I and, on the other hand, the article II power that the President has as Commander in Chief. This is how they are held in balance. It is for that information-sharing process to be ongoing.

As a separate branch of government—the branch with the constitu-

tional prerogative over the power to declare war—we are not required to simply accept an administration's talking points as a matter of faith, especially after almost two decades of deception in Afghanistan. Intelligence-sharing ensures that Congress can appropriately determine whether it should or should not provide the administration with further authority to conduct offensive military force.

The intelligence so far shared with Congress on recent actions taken against Iran has fallen short, but my main concern with the briefing that I called the "worst" that I had ever witnessed on military matters in my more than 9 years in the Senate was that we were given no indication, whatsoever, that any ongoing offensive action against Iran would occur with consultation and authorization from Congress. This was inexcusable.

This was, moreover, not the President's approach. It was not something that would have occurred in the President's presence. It certainly is not something that would have been communicated by the President, himself, because this is not how Donald Trump operates. That briefing was not the President's fault. That briefing was the fault of individuals who decided to go off on a detour of their own, forgetting whom they represent. Worst of all, in that briefing, it was suggested that engaging in public debate, discussion, and deliberation about further military action in Iran—in other words, precisely what we are doing right here and right now—would somehow empower our enemies and undermine the morale of our men and women overseas. This is as false as it is insulting to the American people and demeaning to the constitutional framework to which each of us has sworn an oath. It is contrary to our very form of government.

Constitutionally separated powers, exercised with accountability to the people via checks and balances, are precisely what makes the United States strong. Bowing to the politicians' impulse to avoid responsibility and subvert our constitutional duty—that is what empowers our enemies and undermines the morale of our Nation.

Whether the United States sends our young men and women into harm's way, yet again, is on us—not to cheer or jeer but, rather, to decide and stand accountable for. So, of course, that decision ought to be made at the end of a very public debate that requires not only our attention but our contributions and, ultimately, our assent. Our names have to be on the line if we are going to offer up our fellow beings to stand in harm's way.

For too long, Congress has deliberately and in a very cowardly manner shrunk from its constitutional responsibility for its own narrow, selfish, shallow, political interests. Yet, by taking itself out of the process of debating and declaring war, Congress has taken the American people out of the process, and that is simply unacceptable.

It is time to turn the page.

Osama bin Laden is dead, and so are the 9/11 terrorists. General Soleimani is dead, and Iran is weakened and isolated. Saddam Hussein is dead and has been out of power for a generation, and Iraq is a sovereign nation that can and should dictate its own course. We now face new challenges. Our priorities have rightfully changed, and they must.

While this resolution speaks only to offensive action against Iran, I believe it is time to repeal the 2002 AUMF and bring our troops in Iraq home. It is also time to repeal the 2001 AUMF and bring our troops in Afghanistan home. That is a question that we can and should address in this body.

In the meantime, we as a body and as a nation should at least agree that there is no justification for further military action in Iran in the absence of a new authorization for use of military force or a declaration of war by Congress.

This resolution is consistent with the President's desire to keep us out of excessive, unnecessary, and especially undeclared, unconstitutional wars. It is consistent with the vision of our Founding Fathers, who sought to make it harder to enter into war by the requiring of express consent from a bicameral legislature, and it is consistent with the conviction that the American people, whose sons and daughters lay down their lives to defend us, should get a say in this matter.

President Trump wants to make America great again. I stand with him. The military-industrial complex wants to make America Great Britain again, and I stand strongly against the military-industrial complex. Making America Great Britain again would include such things as giving the executive the power and keeping the legislative branch out of the power of declaring war. That is wrong. That is not what our Constitution allows. It is not even what President Trump wants. We need to support this resolution.

COMMEMORATING UTAH WOMEN'S SUFFRAGE

Mr. President, on February 14, 1870, a remarkable thing happened in Utah—something that changed the course of history not just in our State but in our entire Nation.

Seraph Young, a 23-year-old schoolteacher, became the first American woman to cast a vote in a political election under an equal suffrage law. It was a moment that both followed and preceded a long line of remarkable contributions from Utah women—women who have pioneered and led in our State and in our Nation.

Take Mary Fielding Smith, the wife of Hyrum Smith, who was one of the early leaders of The Church of Jesus Christ of Latter-day Saints. After Hyrum was murdered, the resilient widow followed in Brigham Young's footsteps. She took her children and led a group of pioneers across 1,300 miles of wilderness into the West.

Through a combination of faith and grit, she braved treacherous weather, a massive buffalo stampede, and a myriad of hazards and successfully led the entourage to a settlement where they could build a new life and live in freedom.

Other Utah women continued to blaze trails, and Martha Hughes Cannon stands out among them. At a time when women rarely went to college, Martha aspired to be a medical doctor. She earned a degree in both medicine and pharmaceuticals. A skilled public speaker, she also earned degrees in oratory and public speaking, which gave her four degrees by the time she was 25 years old. In the late 19th century, she quickly became a leader in Utah's burgeoning women's suffrage movement, and she put her speaking skills to good use.

At a large suffrage meeting in 1889, held at Temple Square, she argued:

No privileged class either of sex, wealth, or descent should be allowed to rise or exist. All persons should have the [same] legal right to be the equal of every other.

In the first year that women could vote and run in a Utah election, Martha ran as a Democrat for one of the five State Senate seats. She even ran against her own husband. She became the first woman to be elected as a State senator either in Utah or in any other jurisdiction in the United States, and she went on to sponsor many successful and influential legislative proposals. All the while she was in public office, she continued to run her private medical practice and raise her three children.

It is, indeed, fitting that we will soon be installing a statue of this extraordinary woman here in the U.S. Capitol Building.

Fast-forward to today, when Utah women are continuing to carry the banner of public leadership and service.

We have Ruth Watkins as president of the University of Utah; Astrid Tuminez as president of Utah Valley University; Noelle E. Cockett as president of Utah State University; Denece Huftalin as president of Salt Lake Community College; and Beth Dobkin as president of Westminster College.

We have Gail Miller, philanthropist and entrepreneur, who took over the ownership of the Utah Jazz after Larry, her late husband, died. She took over his other companies as well. She has led the team and companies with exceptional grace, dedication, and success and has helped their philanthropic arm champion education, homelessness, and family causes. We also have Carine Clark, president and CEO of Banyan, who is forging paths in Silicon Slopes and Utah's tech community.

In all different capacities and in all different fields, Utah women are continuing to make invaluable contributions in our State and in our Nation. These women have offered and continue to offer much needed gifts to their families, communities, schools, churches, businesses, and governments.

When Martha Hughes Cannon spoke before a U.S. Senate committee about the success of women's suffrage in Utah, she said: "The story of the struggle for Woman's suffrage in Utah is the story of all efforts for the advancement and betterment of humanity."

As we approach the 150th anniversary of Seraph Young's groundbreaking vote and as we enter the centennial year of the 19th Amendment, it is only fitting that we honor the legacy of these remarkable women and all they have given to my State and to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

S.J. RES. 68

Mr. CARDIN. Mr. President, I take this time to urge my colleagues to support S.J. Res. 68, which, as I understand, we will be voting on tomorrow. It is a resolution that was introduced by Senator Kaine. I acknowledge Senator Kaine's longstanding commitment to the U.S. Senate's and Congress's carrying out our constitutional responsibilities as they relate to the authorization for use of military force, which rests solely with the Congress of the United States, and we have a responsibility to speak as to that authority.

In the last Congress, with Senator Flake, there were efforts in the Senate Committee on Foreign Relations to try to bring us together in regard to the passage of an AUMF, the authorization for use of military force, because we had seen successive administrations using our military without their having authorization from Congress.

S.J. Res. 68 is aimed at one specific conflict for which we can come together, and I am optimistic that we will be able to act on this resolution. It deals with the use of force in Iran. It is very specific as to say that, unless explicitly authorized by a declaration of war or a specific authorization for use of military force against Iran, there is no authority to use our military against Iran.

Now, certainly, for legitimate reasons, the President can use force to defend us from an imminent attack. That is, certainly, how I think all of us perceive the authorization for use of military force from Congress needs to be qualified. In the case of an urgent situation, the President can, in fact, act.

Why do we need this resolution passed now?

I need not tell my colleagues that there is a heightened sense of tension between the United States and Iran. It has been building for some time—certainly, with the U.S. military action in which General Soleimani was killed. He was the leader of the Quds Force in Iran, and he was taken out by our U.S. military. That has presented a heightened tension between the United States and Iran.

Congress has the sole responsibility to commit our troops to combat. It is in article I, section 8 of the Constitution that Congress has the power to declare war. This is not a decision made

by the President; it is a decision made by Congress. Our Founders were very concerned about having the appropriate balance between the executive branch and the legislative branch. It is called checks and balances. We did not want a monarchy. We wanted to make sure that there was sufficient support before war was declared; that it was in our national security interest; that the Congress and the President and the American people were all together in the effort if we were going to initiate war against another country; that the use of the military should always be a matter of last resort; and that we should always exhaust diplomacy—that we should always exhaust other means before America initiates war against another country or the use of military force.

This authority that rests in Congress was tested in the Vietnam war. The Gulf of Tonkin Resolution was passed by Congress at the early stages during the Vietnam conflict to give the President the authority to use force to defend our military against attacks coming from Vietnam. It was never intended to lead us into an act of prolonged war, but, as we know, it was used by successive administrations for maintaining a prolonged war in Vietnam. I think historians would agree that this was an abuse of the interpretation of authorization and that the Gulf of Tonkin Resolution was never intended for offensive military operations in Vietnam. Yet it was used for that purpose.

In 1973, Congress took action to make sure this would never happen again. It passed what is known as the War Powers Act. Now, the War Powers Act was passed in a strong bipartisan vote by both the House and Senate, and it was vetoed. Congress overrode the President's veto because we knew that it was our responsibility to commit our troops to battle.

What does the War Powers Act require?

First, it requires consultation by the President with Congress, in every possible instance, before our committing troops to war. That is the exact language in the War Powers Act. There are consultation requirements. Then there has to be reporting within 48 hours of American troops being sent into hostilities or into situations in which imminent involvement in hostilities is clearly indicated by the circumstances. Third, the War Powers Act requires an end to foreign military action after 60 days unless Congress provides a declaration of war or an authorization for the operation to continue an authorization for use of military force, an AUMF.

Why do we need S.J. Res. 68 if we have the War Powers Act?

Like Vietnam, now in Iran, the President is usurping the constitutional powers of Congress by saying he has certain authorities that go well beyond what was intended in the Constitution or in the War Powers Act.

Let me get to General Soleimani for one moment. He was killed on January 2, 2020, in Baghdad. There is no sorrow over his loss. He was an evil person who caused the death of so many different people. He was clearly a person who is not missed in this world. That is absolutely accurate.

But President Trump's actions violated all three of the provisions of the War Powers Act that was passed in 1973 to try to prevent this type of circumstance that happened in Vietnam from happening again.

Now, why do I say all three? Well, first, was there an imminent threat that allowed the President to make this decision without congressional authorization?

Well, we have been through a classified briefing, and I am not going to talk about what was presented in that classified briefing, but I think it is fair to say that we were not presented with the documentation at all that there was an immediate threat against America.

The President has not made that case, and we have heard public comments that have been made by administration officials that they did not know about specific threats at that particular time.

So, one, the War Powers Act was violated because there was not an imminent threat before the President used military action.

No. 2, we now know that this had been planned for some time as one of the potential operations that could have been given to the President to respond to Iranian action; that is, taking out General Soleimani. So there was plenty of time to consult with Congress, but yet, before the military action, there was no prior consultation with Congress—a second violation of the War Powers Act.

Then, third, congressional notification and removal of troops within 60 days. The President has not submitted nor does he intend to submit to Congress an authorization for use of military force or a declaration of war against Iran. He clearly does not intend to do it, but he has made it clear by his own statements that he will use force again against Iran if he believes it is justified, and his determination of justification is not what Congress intended when it passed the War Powers Act in 1973.

Even more urgent, the President claims that he has authorization from Congress. So the President, through his lawyers, has said: Well, OK, maybe we don't have the inherent power, but we have specific authorization that has been previously passed by Congress that allows us to use military action against Iran.

So let me go through the two authorizations that are still active and used by Presidents.

First, we had the authorization to use military force that was passed in 2002. This is the authorization that was passed to go after Iraq.

Now, I must tell you I voted against this authorization. I thought that there was no evidence that Iraq was involved in the attack on our country on September 11, 2001. I didn't think there was evidence of that so I opposed that resolution in the House of Representatives when I was a Member of the House of Representatives. That resolution says the use of force to defend the national security of the United States against the continuing threat posed by Iraq. We are talking about Iran, not Iraq. How could the President conceivably use the 2002 authorization to claim that he had authority to go after an Iranian general? I don't understand that. I can't figure that out for the life of me, but that argument has been made.

Then we have the old fallback of the 2001 AUMF that was passed immediately after the attack on our country on September 11, 2001. That authorization was passed "to use all necessary and appropriate force against those nations, organizations, or persons that planned, authorized, committed, or aided the terrorist attack that occurred on September 11, 2001."

Now, this has been used by many administrations so it goes back well before President Trump in the misuse of the 2001 authorization.

Iran was not involved in the attack on our country in 2001, 9/11. So how do you use this authorization to say you have authorization now to take out a general in Iran or use force in Iran? It is clear to me that that is a total misreading of the authority of Congress. Congress never intended, when they voted for that authorization now 19 years ago—almost 19 years—that it intended that it would be used as it is being used today. That is a total misuse of the authorization by Congress.

So in regard to Iran today, there is no AUMF; we have not passed authorization for Iran; the President has already shown that he will act and will not comply with the War Powers Act; and he is likely to use force again that could lead to a lengthy military engagement with Iran. That is a possibility.

So we need to pass S.J. Res. 68 because it is specific—it is specific to Iran—that there is no congressional authorization.

And just as importantly, if the President wants to use the military, he must seek prior authorization from Congress as is envisioned in the Constitution of the United States. It gives the President the power to protect us against imminent threat.

As for good reason, Congress has the constitutional powers here. My generation paid a very heavy price because of the Vietnam war in the way that we got into the Vietnam war without the voice of the U.S. Congress giving the specific authorization. Let us not cede our responsibility under the Constitution or allow the President to exceed his.

I urge my colleagues to support and vote for S.J. Res. 68.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, when the Senate begins its debate, as it has been doing today on the War Powers Act, in considering this resolution, we are considering whether to do our duty to the Constitution.

The debate over war powers is bigger than any one Senator, bigger than any one President, and bigger than any political party. The debate over war powers is a fundamental constitutional debate, and the Constitution and our Founding Fathers were clear: The power to declare war lies in the legislature.

Madison put it this way: The executive is the branch most prone to war. Therefore, the Constitution, with studied care, vested the power to declare war in the legislature.

Yet we have increasingly deferred and delegated the war powers back to the executive. We have abdicated our role as the body that should be deciding with the people when to go to war.

While the President may have the power to repel an attack, Congress has done little to stop increasingly bold arguments that everything is in response to an imminent attack.

I will never forget President Obama coming to speak to the Republican caucus a few years ago, and he said: Well, they were under imminent attack, and we were like: Who, in the Libyan war, and he said: Well, Benghazi. And it was like: For goodness' sake, we thought imminent attack was of America, not of a foreign city. That is how far afield we have come, that a President would come to us and say: I can do whatever I want if there is an imminent attack of a foreign city. How ludicrous.

Given Congress's inaction, it should come as no surprise that administration lawyers increasingly argue that everything is imminent and that statutes limiting their authority actually don't limit their authority; that the statutes actually say they can do whatever they want.

Presidents actually argue that article II of the Constitution—this is what gives the President power. Article I is the congressional power; article II is the President. They argue that the article II section of the Constitution lets the President do anything he or she wishes; that there are no limits on Presidential authority. That is absurd.

Under President Obama, we droned hundreds of people in Pakistan; we bombed Libya to help defeat Qadhafi; we put military personnel in dozens and dozens of countries around the world fighting militants and regional thugs here and there, but with each passing year it had less and less to do with 9/11. It is hard to explain to someone how a goat herder in Mali has anything to do with the attacks of 9/11. Yet every President comes back to us and says: Well, you voted for this proclamation in 2001. It gives me the power to do whatever I want wherever I want.

In our Republic, if we are going to go to war, the Constitution says you must come to Congress, not for consultation but for permission.

Today's vote is not a vote for or against the current President. Today's vote is for or against the Constitution. Either you believe that war requires the permission of Congress or you don't.

Why is this vote necessary? Because we live in a topsy-turvy world, where Presidents now argue that their war power is absolute. Don't talk to me. I will do what I want—but the Constitution envisioned that we did not ever want one person to decide when we went to war.

Presidents now argue that a decades-old authorization of force against a long-deceased autocrat—Saddam Hussein—is still valid and applies to an Iranian general, and that is absurd. That is insulting to the people; it is insulting to the Constitution; and it shouldn't be.

You cannot argue that the Constitution gives the President unlimited power and say: Oh, well, if that doesn't work, I am also arguing that in 2002 Congress voted to go to war with Saddam Hussein, and that gives me the power to kill an Iranian general.

Presidents have also argued that bombing is not war. They argue somehow that bombs are not war and that there is a certain attitude of, well, maybe 100 soldiers aren't, maybe 1,000. What does it take to be at war?

They argue sometimes that we are not in hostilities when we are dropping bombs everywhere around a country. They sometimes argue that battles are kinetic action and not really war.

We have been at war too long in too many places. It is time to bring our soldiers home.

This week, I joined the President to honor two of our soldiers who were killed in action. I stopped with the President at Dover Air Force Base. Let me tell you, it was a sad and somber memorial for two of our Nation's heroes. But people need to think about this. This isn't a chess game. This isn't a geopolitical chess game and we are just moving troops here and there and they are somehow represented by symbols on a big map or a board. This is about people. It is about our young people of our country, and they deserve better. Our soldiers deserve to know what they are fighting for. Our soldiers deserve to know what the mission is. Our soldiers deserve to know if we are making progress. They deserve to be told the truth.

America's longest war in Afghanistan is in its 20th year. We now have kids fighting who weren't even born when the war began.

My committee this week held a hearing to discuss the Afghanistan Papers—papers that reveal that the highest ranking officials in our military and in our government and in our State Department have known for many years that the Afghanistan war lacks a real

mission; that it lacks a real national security rationale.

My vote today is not simply about Iran or the killing of Soleimani. My vote today is about the constitutional requirement that Congress must declare war. This vote should be 100 to 0. It is a vote for or against the Constitution. This is about acknowledging the Constitution says no one man, no one woman can take a nation to war.

Many Members will quietly acknowledge that the separation of powers assigned Congress the power to declare war, but when push comes to shove, many Senators are afraid to appear to oppose a President of their own party.

For me, this debate is not about party. I have supported the constitutional mandate that Congress must declare war under both Democratic and Republican Presidents, and I will continue.

For me, this debate is not a dry and esoteric or meaningless debate. It is a debate about life and death. It is a debate that, more than any other debate, embodies our commitment to our soldiers. It is a debate that strikes at the heart of our duty to do everything possible to protect human life.

Today's vote is historic in that the majority of the House and the Senate will now be on record affirming Congress's power over issues of war. Even at the height of the Vietnam war, the height of America's probably most unpopular war, congressional majorities did not stand up and assert their constitutional prerogative. Today we are doing that. That is a step forward.

In the aftermath of the most partisan impeachment in our history, today, though, marks a high-water mark for the bipartisan assertion of the separation of powers.

For me, it will have all been worthwhile when I see our troops returning home to their families safe and sound. For me, it will all be worthwhile when we finally end the Afghan war, when we finally end the Iraq war, and when we finally end the wars in Yemen and throughout Africa. When that day comes, I look forward to standing arm-in-arm across the political divide to welcome our brave soldiers home. Until that day, I will continue to fight for the truth that great nations don't fight perpetual wars.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. ENZI pertaining to the introduction of S. 3287 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I am here on the Senate floor to talk, once again, about the addiction crisis in our country. Over the past 4 years, I am told I have given over 64 speeches on this topic, and that is because it is a crisis, and a national one, and we have done a lot here in this Senate and also in the House of Representatives to deal with the issue.

We passed some important legislation. We are making some progress, but, gosh, prescription opioids, heroin, fentanyl, methamphetamine, and cocaine continue to harm so many people in our communities and so many of the families we represent. We put new policies in place to help deal with it—better prevention, better treatment, and better recovery efforts.

Among other things, we passed legislation like the SUPPORT Act, the Comprehensive Addiction and Recovery Act, the 21st Century Cures Act, and the STOP Act. Through these new laws, we have also provided over \$4 billion in additional Federal resources just over the last 3 years to be able to combat this epidemic—particularly, the opioid epidemic.

In Ohio alone, our State received nearly \$140 million through the CARA and Cures legislation. It has gone toward innovative, evidence-based programs to try to figure out how we intervene at the appropriate time to keep people who are addicted from overdosing and, instead, to get them into treatment and into longer term recovery in a successful way.

I have gone to visit many of these programs across our State, and I can tell you many of them are working, and they are working because local volunteers, local communities, and the State are also involved. So that is the positive thing. I was very pleased that the year-end spending bill passed with a record \$658 million, as an example, in funding for these CARA grants that again go to these innovative ideas back home.

Let me give you an example of one. In many of our communities now, we have the ability, after somebody has overdosed, not to simply have them go back home and go to the same neighborhood and get addicted, and continue to be addicted and overdose again and again and again, but, rather, to intervene and to go there with law enforcement, with treatment providers, with first responders, and get them into treatment.

It is working. In a program I was recently at in Columbus, OH, the RREACT Team, 80 percent of the people whom they go to visit end up getting into treatment. And the evidence is, not only are they getting into treatment, but because there is the ability to monitor that, they are also going into longer term recovery programs. It is helping to save lives, but for the first responders, it is also a great relief because no one is more frustrated than they are. Think about it. You help

somebody through an overdose by applying Narcan—that miracle drug that reverses the effects of the overdose—and the next day they are right back again. This is the right thing to do, and, again, we have made progress in that.

The good news is, it looks like it is starting to pay off. After many, many years of increases in overdose deaths every single year, finally, we are making progress. In States like mine, overdose deaths had climbed to the No. 1 cause of death in our State; in other words, surpassing car accidents or anything else. There were more people dying of drug overdose deaths than anything else.

Nationwide, we had some great success between 2017 and 2018. We now have those numbers in. In 2017, we had about 70,700 people who died of overdoses. In 2018, it went down to about 67,700. That is a decrease of 4 percent. Now, that is nothing to write home about, 4 percent. On the other hand, this is after three decades of increased overdose deaths every year and in some years substantial increases. So just to have that 4-percent decrease—and we are waiting for the 2019 figures to become available—was a big deal.

In Ohio, we are one of the States that has been hardest hit. In 2018, our number was a 22.4-percent reduction. We were one of the States that led the country in this, and I am proud of that. That means a lot of lives saved. Still, though, the overdose rate is way too high—way too high.

On the positive side, I think we are also seeing more accountability for the opioid crisis, in particular. As courts around the country hear cases of those affected by prescription opioids, like OxyContin, these drug companies are being held accountable by individual States, by some local governments, and by the Federal Government. Every day we learn more about what they did and how wrong it was.

The sheer number of pain pills that drug companies pumped into the United States is astounding, with more than 100 billion pain pills between 2006 and 2014. So during that one period of time, 8 years, there were 100 billion pain pills.

We have one county in Southern Ohio, Scioto County, where we had 48 million opioid pain pills distributed by manufacturers during those 8 years. By the way, that is 617 pills for every man, woman, and child in that one county in Southern Ohio. We were flooded with pain pills that were addictive, and we have to be sure that that kind of a crisis doesn't start again.

As I travel around the State of Ohio, I hear stories all the time of people who had an accident or had an injury, and they took pain medication prescribed by a doctor. That led to physical addiction. Something in their brain changed. They became addicted. They couldn't get the prescription drugs because they are too expensive or not accessible enough, so they turned

to heroin. In many cases, the tragedy that occurred was not just an overdose but sometimes an overdose and a life lost. I hear this all the time.

Just this morning at my weekly Buckeye Coffee, where we have constituents come in once a week and meet with Ohioans, I met an impressive young man from northeast Ohio. He told me about his brother, Dylan. He reminded me that I had met his mom. I already knew about Dylan because his mom had told me, but Dylan struggled with pain pill addiction before tragically dying of an opioid overdose. It is a pattern that we have seen too often in our communities, and it needs to stop.

We are making some progress there, I think partly because of the lawsuits, partly because we increased awareness, partly because of the Federal legislation we discussed that has helped on this, and partly because doctors and others are beginning to get the message.

We have cracked down on pill mills as well. I mentioned Portsmouth, OH, and Scioto County, OH, where there were hundreds of pain pills per person. They had pill mills. Because of all of that, the number of prescription pain pills prescribed between 2013 and 2018 fell by more than 80 million—about a 33-percent decrease nationwide. So pushing back against this opioid flow that flourished for way too long here in the United States is helping, and that is a positive sign as well.

Again, while the CDC—Centers for Disease Control—has shown an overall decrease in drug overdose deaths for the past 18 months or so, I want to talk tonight about some new troubling trends and the need for us in Congress not to take our eye off the ball because sometimes around here, you get a little progress, and you think: OK. Let's go on to the next thing. Unfortunately, that is not the way addiction works, and we have seen this over time.

Back in the 1990s, we thought we had solved the cocaine crisis; we didn't. Now some think we have solved the opioid crisis; we haven't. In addition, there are new troubling trends I want to talk about tonight.

The most worrying is, while the overall number of opioid deaths has fallen, the number of overdose deaths related to the very deadliest of opioids—synthetic opioids like fentanyl or carfentanil—has actually increased. In fact, in 2018, more deaths were attributed to fentanyl than to heroin and prescription drugs combined. So it has shifted. Think about this. From the prescription drugs to the heroin, now to fentanyl.

Fentanyl is 50 times more powerful than heroin. A few flakes of this stuff can kill you. Unfortunately, it is being mixed into other drugs, partly because it is so powerful and a few flakes can kill you.

According to the Centers for Disease Control, 40 percent of drug overdoses in 2017 were at least partly because of

fentanyl use—40 percent. It is by far the largest problem. That data also showed that overdose deaths due to fentanyl had increased by 88 percent per year since 2013. So it has been going up really since the 2013, 2014 time period.

We are seeing this mixing occur in a lot of overdose reports from Ohio communities, where declining prescription opioid and heroin use has opened the door now for this other form of addiction. In particular, psychostimulants, as they are called, like crystal meth and cocaine, are being laced with fentanyl. This is a deadly combination. According to our State's deputy attorney general for law enforcement, Carol O'Brien, Ohio law enforcement officials in 2018 tested double the amount of methamphetamine samples as they had in 2017 and triple the amount from 2016. So crystal meth is, unfortunately, making a resurgence in our communities.

By the way, you may remember in the past couple of decades in your community you heard about these meth houses, where people would be cooking meth, literally, in a home or in a trailer or in the basement and causing environmental concerns and so on. You don't hear about that anymore. Do you know why? It is because crystal meth coming straight from Mexico is so powerful and so cheap that people don't have to make it at home anymore. That is a bad thing because this has expanded to the people who have become addicted to methamphetamine because of this powerful crystal meth.

Today I met with law enforcement officers from around the State of Ohio. The FOP was in town, the Fraternal Order of Police. Many of my colleagues met with them. They confirmed this troubling trend. They told me that the crystal meth and the cocaine, because they are psychostimulants, are much more difficult for them to deal with and puts their lives and their safety more at risk, as well as the citizens whom they are there to protect. Why? Because it causes a more violent reaction.

Think about it. With heroin, with other opioids, prescription drugs, fentanyl, people talk about the nodding effect. It calms people more. Whereas, with heroin, with cocaine, and with the other psychostimulants, like crystal meth, it makes people more agitated and more violent. We have seen not just more assaults on individuals but more violent crime overall coming out of this. So it is a shift that is impacting our police officers and our citizens, as well, in terms of increased violent crime.

I am really pleased to say that the legislation we passed in December—just about a month and a half ago—responded to this issue of the increase in meth and cocaine. It is because it included our legislation called the Combating Meth and Cocaine Act. It is a really important bill. Basically, what it says is, let's give local communities

the flexibility to use the opioid grant money that I talked about earlier, that has increased over the last 3 or 4 years, also to be used for psychostimulants. I felt very strongly about this because I was hearing it back home: Thank you very much for your help on the opioid crisis. By the way, we have shifted now in our community. Opioids are not as big a deal, but we need the funding to also help us deal with the consequences of crystal meth or cocaine.

I thank my colleagues for passing that legislation. It is going to make a big difference, and I think we will now begin to see the ability to address this new threat.

The U.S. attorneys for the Northern and Southern Districts of Ohio have recently weighed in and told me what is going on in terms of this mixing of cocaine and crystal meth with fentanyl. They say it is a crisis. Preliminary data from Cuyahoga County, which is in Cleveland, OH, suggested about 45 percent of the fatal overdoses in the county last year were associated with cocaine, much of that mixed with fentanyl. By the way, that is twice the amount of heroin overdoses over that same time period from the previous year, which shows how, again, the frontlines of addiction have shifted, partly in response to our successes on the opioid front.

We are hearing similar things in the Southern District of Ohio, where more than a third of overdose deaths are from cocaine and fentanyl, where they just had 10 overdose deaths from the combination of fentanyl and cocaine in the last several days.

I met with the Columbus, OH, police chief, Tom Quinlan, on Friday, in the middle of a spike there, a spike in overdose deaths that they have seen from this mixture. In the first 10 days of February, this month, Columbus, OH, Franklin County, had 28 overdose deaths involving some combination of fentanyl and cocaine—28 in 10 days.

I was actually in Columbus on Saturday, a day in which five people died from overdoses of a mixture of fentanyl and cocaine.

Just yesterday, the Columbus police informed me that in one drug bust, they seized over 200 grams of cocaine and nearly 2 kilograms of fentanyl. That is enough to kill about 1 million people.

Again, we have made some progress on the opioid front, no question about it. We have made progress in terms of the overprescribing of prescription drugs, but, unfortunately, my colleagues, this issue is not going away. The more flexible funding we got in at the end of the year is important, and we will begin to see that take effect here over the next several months—it is just being implemented now—but we have to deal with it.

The other thing we have to deal with in terms of fentanyl is being sure that some evil scientist doesn't slightly change the molecular compound of fentanyl, making it an analog of

fentanyl that is not illegal. You have to schedule a drug to make it illegal. As we have seen an uptick in these fentanyl copycats, we have seen the reality that it is not just about fentanyl. It is also about carfentanil, and it is also about other analogs.

As an example, we had an 819-percent increase from just a year ago in Cleveland with carfentanil deaths in 2019. So from 2018 to 2019, there was an 819-percent increase.

That is why the DEA—the Drug Enforcement Administration—has made the right call in 2018 in temporarily making these fentanyl-related substances, like carfentanil, illegal to possess, transport, or manufacture. Thanks to that designation, our law enforcement officials have been better able to protect our communities by seizing and destroying this fentanyl-related substance because it is illegal.

We had a real problem in the last couple of months here in Congress because, as of early this month—just last week—that scheduling of those analogs expired, and we almost had a situation where these drugs were going to become illegal. Thank goodness, at the last minute, we stepped in, and we provided a temporary extension; otherwise, again, last week, we would have had a real crisis.

Unfortunately, the temporary extension, like so much stuff around here, was kind of kicking the can down the road. So in May of next year—just a year and a few months from now—again, it is going to expire.

I strongly urge my colleagues to join me, Senator MANCHIN, and others on both sides of the aisle in passing legislation that puts these analogs on the schedule, making them illegal permanently. It should be permanent. The legislation is called the FIGHT Fentanyl Act. Again, it just codifies what the DEA has done but also gives them the flexibility to be able to schedule new things, as, again, these scientists come up with ways to slightly alter the molecular compounds for these incredibly dangerous and deadly drugs.

By the way, our legislation has strong bipartisan support but also has the support of every single attorney general in every State in America and six territories. Fifty-six of our attorneys general have come forward and endorsed our bill, and I thank them for that.

Let's do that. Let's push back against these deadly copycats of fentanyl and be sure that our communities are just a little bit safer.

Again, we have made a lot of progress in the fight, but as we have seen, addiction—not a particular drug but addiction—is really the crisis we face. As we have made progress against opioids, including an unprecedented Federal response here—and I appreciate that very much—we now see the playing field changing. We see these psychostimulants like cocaine and crystal meth making a comeback. We see this mixing with fentanyl.

Again, the funding bill passed last year will help as it begins to implement these changes. We need to be sure that the FIGHT Fentanyl legislation is passed, and we need to be sure that we continue the funding. It is easy to say: Well, this crisis is better; let's move on. We have to keep our eye on the ball.

So I thank my colleagues as we go through the funding process again, but we have to keep the funding for the CARA legislation and others.

We also have a new bill called CARA 2.0, so Comprehensive Addiction and Recovery Act 2.0, and it expands the reach of these evidence-based programs we are talking about, particularly longer term recovery programs, because we have learned that it is so critical to actually get somebody into recovery and keep them in recovery for a long enough time so they don't relapse.

In that legislation, we also have important legislation with regard to opioid prescriptions because that is still a problem. We say that there should be a limit of 3 days for acute pain—not for chronic pain but for acute pain, limit it to 3 days. That comes from a recommendation by the Centers for Disease Control and Prevention but also from the FDA.

I have heard from too many families—like the young man I heard from this morning—about someone whose child has become addicted because the doctor gave them too many opioids. By the way, I now know several families whose son or daughter was given opioids when he or she had a wisdom tooth removed, which apparently is one of the top two or three most common procedures in America. Doctors and dentists are still giving these kids opioids. I think that is wrong, and I think that should be stopped altogether. In the meantime, 3 days is a sensible limit. A doctor can always prescribe more if you have an issue. And I think there are proper exceptions for chronic pain.

I think our legislation would make a big difference. It also has a prescription drug monitoring program, which would require States to make their monitoring programs and their data available in other States because people go from State to State to get these prescription pain pills. This would help against overprescribing, making sure people are treated as soon as possible and identified.

I urge my colleagues who are not yet cosponsors of any of these bills—the FIGHT Fentanyl bill and the CARA 2.0 bill—to help us and to join us in responding to this ever-evolving challenge we have, which is not just an opioid problem; it is an addiction problem. Every State represented in this Chamber is affected by this epidemic, and these two bills at least provide us an opportunity to continue to give law enforcement the tools they need to give our communities the help they need to be able to overcome this crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

S.J. RES. 68

Ms. HIRONO. Mr. President, the Constitution vests Congress with the power to declare war and ultimately to authorize the use of military force in order to provide a critical check on a President's decision to deploy troops overseas. Congress has for too long abdicated this responsibility in deference to Presidents from both parties.

Presidents have used a broad interpretation of the 2001 and 2002 authorizations for the use of military force to justify American military interventions in far-flung theaters such as Yemen and North Africa. I have supported bipartisan efforts to revisit these authorizations because nearly 20 years later, they are still being used to justify action unforeseen by the Congress that initially approved them.

This effort has become more urgent as this President's reckless, impulsive actions are bringing us precipitously close to war with Iran. Contrary to whatever he says, Donald Trump's Iran policy has not made us safer. In fact, his Iran policy has undermined America's national security, isolated the United States from our allies, put the safety of American troops at risk, and, yes, brought us closer to war.

To understand how we arrived at this moment and why Congress needs to act, we should begin by evaluating the consequences of the President's misguided and dangerous decision to withdraw from the Iran nuclear deal.

By all accounts, the administration inherited a deal that was working, one painstakingly negotiated over many months with the UK, France, Germany, Russia, China, and Iran.

It bears repeating. The deal explicitly stated in its first paragraph that "Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapons," and it put a comprehensive, intrusive, and verifiable enforcement mechanism in place to achieve this objective. It blocks pathways Iran would need to produce the highly enriched uranium or plutonium it would take to produce a nuclear weapon. Under the verification regime created by the deal, international inspectors from the International Atomic Energy Agency, the IAEA, were afforded extensive access within Iran to ensure their compliance.

The Iran nuclear deal was reached through tough, principled diplomacy. These negotiations culminated in an agreement that world leaders could credibly declare would prevent Iran from ever obtaining nuclear weapons.

In May 2018, President Trump recklessly undermined our credibility and isolated the United States from our allies by unilaterally withdrawing from the Iran nuclear deal. It is important to emphasize that Iran was in compliance with the agreement when the President tore it up.

Our unilateral withdrawal from the agreement and the administration's

subsequent so-called maximum pressure campaign has exposed the United States to enormous risk. We have seen the consequences almost every day for the past 2 years as Donald Trump has engaged in an escalating and increasingly violent tit-for-tat with Iran.

The President's chaotic escalation culminated with his impulsive and incredibly risky decision to target and kill high-level Iranian and Iraqi military officials, including Iranian General Soleimani, on Iraqi soil.

The question before us is not whether General Soleimani deserved this fate. He was a loathsome figure who was responsible for killing many U.S. servicemembers and for orchestrating terrorism throughout the Middle East. The question before us is whether carrying out this risky and provocative act made the United States and the Middle East safer or more secure. It has not.

Over the past month, the consequences of the President's impulsive actions have become clearer. We now know President Trump directed the attack without notifying leaders in Congress or our Iraqi partners or even our allies who have troops positioned in Iraq. He ordered the attack without preparing for what came next, exposing the United States to further hostilities without a plan for how to deescalate tensions.

After Iran retaliated with a coordinated missile strike on American military infrastructure in Iraq, the President was quick to reassure the public that no American soldiers were harmed in the counterattack. We now know this was a lie. After weeks of denials—or even comments from the President that some troops were suffering from "headaches"—the Pentagon on Monday finally acknowledged that 109 servicemembers suffered traumatic brain injuries in the Iranian attack. For the President of the United States to make light of these serious injuries—injuries that, in many cases, may impact these soldiers for the rest of their lives—is unconscionable and dishonors the service and sacrifices made every day by our men and women in uniform.

In a sign that tensions continue to escalate, the President has deployed more than 14,000 additional servicemembers to the Middle East in the wake of the strike on General Soleimani, exposing even more Americans to potential retaliation from Iran or its regional proxies. These developments further reinforce our conclusion that President Trump did not give much thought to the consequences of his actions.

The administration has provided ever-evolving and very troubling after-the-fact explanations that fail to assuage our concerns about this impulsive decision. Only a few weeks ago, the President tweeted in all caps that "Iran will never have a nuclear weapon." Given that the President tore up the Iran nuclear deal which would have prevented Iran from ever getting a nuclear weapon, one cannot help but

question where this bellicose rhetoric is coming from and what it portends.

The American people have made it explicitly clear that they do not want to go to war with Iran, especially if war is the result of the President's reckless and impulsive actions. It is therefore imperative that Congress exercise its exclusive—exclusive—war powers under article I of the Constitution to prevent this President from launching a disastrous war with Iran.

In normal times, we could have confidence during a crisis like this that the President of the United States would mobilize a whole-of-government response to this crisis, and in normal times, the President would lead our allies and the international community in seeking a diplomatic outcome to our escalating tensions with Iran, but these are not normal times.

Congress must reassert its constitutional authority by demanding the President seek explicit authorization prior to any military action against Iran. I urge my colleagues to join me in supporting Senator TIM KAINE's War Powers Resolution tomorrow.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am pleased to join my colleagues, many of whom have spoken already in support of S.J. Res. 68, which I am proud to cosponsor. It prohibits an unauthorized, unconstitutional war with Iran. It seeks to prevent the Trump administration from stumbling into a real and reckless military conflict. I want to thank bipartisan colleagues who have provided leadership in this effort, and it has been truly bipartisan as an effort. I appreciate their efforts and from many other colleagues to reassert our constitutional war powers and to represent the will of the American people.

Americans do not want a new war. They do not want another endless military conflict that harms our national interests without protecting our national security. The Constitution trumps any statute. Without congressional authorization and anything short of a declaration of war from the Congress, starting a war with Iran would be unconstitutional.

Congress did not authorize war with Iran when it passed an authorization to use force against al-Qaida more than 18 years ago in the wake of 9/11. Congress did not authorize war with Iran when it passed an authorization to use military force against Saddam Hussein's regime in 2002. Very simply, Congress has not authorized war with Iran in any way, shape, or legal form.

The President's authorizations for use of military force in no way cover starting a new war with Iran. We cannot let the intent of either of those authorizations to be so distorted and stretched as to be a pretense for such a war. That is why this resolution is so important. I urge my colleagues to vote in favor of it tomorrow.

But just as alarming as the lack of legal authorization for war, is the Trump administration's lack of strategy. It isn't that we have a dangerous policy toward Iran. It is that we have no policy, no strategy, and no endgame, which is the most dangerous situation of all.

I am pleased that we have deescalated the dramatic rise in tensions between Iran and the United States, which well serves the interests of both countries. We must continue the potential for reducing, not escalating, military tensions, but President Trump's reckless actions that brought us so close to military conflict are still in play. We need to continue to deescalate, not raise, the level of tension, if possible.

These kinds of reckless actions, in fact, brought us close to expulsion from Iraq and halted key training exercises with our allies in the counter-ISIS mission. As is the case with most of the Trump administration's military strategy—or lack of it—we are just lurching from one crisis to another, with no objectives, no means to an end, no decision on ending, all putting our security and our allies at grave risk. Congress, not to its credit, has failed to conduct critical public oversight that is necessary to hold the administration accountable and to insist on a strategy, an endgame, a set of objectives.

The Trump administration has kept Congress and the American people in the dark under the guise of classification. I will say, on a personal note, that at the end of so many of our classified briefings in the SCIF, I will say to a military officer or to an intelligence community representative: Our adversaries and our enemies know what you have just told us because you are telling us about what they are doing. And they know we know, and we know they know. In fact, they know a great deal about what we are doing. The only ones who don't know are the American people. They are kept in the dark.

The Trump administration cannot wage war while hiding behind classification gag orders behind closed doors. The Trump administration tried to make the claim that there was an "imminent threat" to justify the strike against Soleimani. I disagree. The Trump administration failed to provide the evidence in any setting, classified or not, to support this claim, and the American people deserve to know our path forward with Iran.

There is no conceivable reason that our goals must be kept secret from Members of Congress or the people we represent, and we certainly must prevent a reckless administration from pursuing a war when it is unwilling to account to the American people. In short, there is a fundamental purpose that is served by a declaration of war. It gives the people who will have to sacrifice in that war a voice in the decision. We represent those people—the families of soldiers, marines, airmen,

and sailors whose lives will be in harm's way, as well as themselves. It gives a voice to the experts in this body who may have a perspective and a wisdom on these topics. That is a useful check on the executive branch.

Let us not forget that military actions conducted without a strategy and without the consent of the American people have real consequences for all who serve our Nation in uniform.

We continue to hear reports about the number of troops who have suffered brain injuries in the Iran strike against Iraq military bases. The total is now up to 109 American servicemembers. The President of the United States has minimized those kinds of injuries as headaches, but, in fact, traumatic brain injury—concussion, post-traumatic stress—are among the most painful and damaging wounds of war, in part because they are invisible and they are sometimes minimized.

So let us never forget the consequences of war—the consequences to our economy, to our faith in American democracy, to the credibility of our leaders, to our people in lives lost and damaged. That is true especially of a war that has never been authorized by Congress and fails to have the support of the American people.

That is why this vote is so important today. There are many, many reasons to vote in favor of S.J. Res. 68. I call on my colleagues to send a clear, unmistakable message to this administration: You do not have congressional authorization, you do not have the support of the American people, and you do not have permission from this Congress, under the Constitution, to wage war or to begin it against Iran.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, I am proud to rise in support of S.J. Res. 68, the Kaine-Lee resolution to "remove United States Armed Forces from hostilities against the Islamic Republic of Iran or any part of its government or military."

This resolution is crucial at a momentous moment in our Nation's history. As U.S. Senators, we are no strangers to tough decisions. When this institution is functioning properly, we make such decisions all the time. There are tough questions, and we make tough decisions on which programs to fund or on who sits in judgment over their fellow citizens on the Federal bench or on issues of civil rights or equality or fairness. Yet, without doubt, the most difficult decision any Senator will ever face is whether to authorize war—whether to, through such authorization, open the

gates to send the men and women of our Armed Forces into harm's way.

It is a solemn responsibility that all of us here take very seriously, and it is a responsibility that the Founding Fathers intended to rest solely here in the Congress of the United States of America, not down Pennsylvania Avenue, in the White House, not in the hands of any one person sitting in the Oval Office.

At the Constitutional Convention in 1787, George Mason, a delegate from Virginia, said he was "against giving the power of war to the executive" because the President "is not safely to be trusted with it."

In speaking to the Pennsylvania ratifying convention that same year, James Wilson stated:

This system will not hurry us into war; it is calculated to guard against it. It will not be in the power of a single man, or a single body of men [such as just the Senate or just the House], to involve us in such distress, for the important power of declaring war is vested in the legislature at large.

James Madison, the "Father of the Constitution," wrote to Thomas Jefferson in 1798:

The Constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war to the Legislature.

All of these comments and so many more are about the gravity of deciding to go to war—deciding on whether hundreds or thousands or tens of thousands will walk into the face of danger, suffer injuries, suffer death. Questions about war are questions of great human calamity that cannot be taken lightly. They cannot be taken at the spur of the moment. They cannot be taken with the judgment of a single individual.

Our Founders noted that the decision should not be by any single President, not by a particular individual. This is not about the individual in the Oval Office at this moment; it is about the Founders' vision that it should be the collective decision of Congress, representing the people of the United States, to weigh this question of national defense—whether or not we should send our sons and now our daughters into harm's way in a military fashion, where many will be injured and many will die. It is an issue of the National Treasury as well because the cost of war is a huge cost in blood and a huge cost in injuries and a huge cost to the Treasury. That is why this responsibility was placed with us and with the House of Representatives.

In this Constitution—and all Senators here probably have one in their desks—one just simply has to look in article I, section 8, which is where that specific responsibility is given to us, not to the President, not to the executive. Upon coming into this body, we did swear an oath to this Constitution, not to some vision of our personal desire that maybe a President would be better at making this decision and not

to any scholars' opinion but to this document, which vests its power in this body, not in the President of the United States.

For too long, Congress has allowed a steady expansion of the exercise of military power without authorization—without a declaration of war from Congress. So this is one of those rare moments in which we are standing up to say: No. Any decision to conduct war against Iran needs to come in accordance with the Constitution, in accordance with the War Powers Act, in accordance with the decision and debate that would occur here.

S.J. Res. 68 lays out what the War Powers Act reads, which is, "At any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs." This is a debate over whether the Congress should so direct.

Indeed, it also lays out in this document the vision of our Constitution and reads that the question of whether U.S. forces should be engaged in hostilities against Iran should be answered following a full briefing to Congress and the American public of the issues at stake—a public debate in Congress and a congressional vote as contemplated by the Constitution.

This resolution does not read that Congress will not debate the issue; it reads that Congress should debate the issue if the President so requests and come to a decision as to whether to open the gates of our Nation to war. It then proceeds to do exactly what the War Powers Act provides for, which is to "[direct] the President to terminate the use of United States Armed Forces from hostilities against the Islamic Republic of Iran or any part of the government or military unless explicitly authorized by a declaration of war or a specific Authorization for Use of Military Force."

This is all about the vision of our Constitution. Are we going to support it? Are we going to say no to this warfare unless it is authorized as envisioned by the Constitution or are we going to say, "No. We don't want the burden of that responsibility. It is a tough decision to make. We are not sure we will get it right, so we will just let the executive do what he wants even though the Constitution says no"?

Let us honor the vision of the Constitution. Let us support this that is before us. Let us ponder how easy it is for there to be a cycle of provocation, an escalation. We have seen that in Iran. Iran is not a friendly power to the United States of America. Iran has been involved in activities that we greatly oppose in its supporting forces in Syria, in Lebanon, and Yemen; in its developing ballistic missiles; in its creating concerns inside of its neighbor Iraq with its Iranian militias. The United States has been involved in this cycle of provocation and escalation.

We made a deal with Iran of economic assistance to Iran if they abandoned their nuclear program. They abandoned the nuclear program, and the inspectors certified they had abandoned it. Then, we have broken the deal, and we have tightened the sanctions, making life very difficult for the people of Iran.

Iran launched rockets at our forces inside of Iraq, and the United States responded and attacked militias sponsored by Iran, killing a good score of Iranians in the process and assassinating an Iranian general. Iran responded with ballistic missiles attacks at the U.S. forces in Iraq, injuring, at this moment, an estimated 100 U.S. forces—a cycle of provocation and escalation.

We are on the edge of war. We are involved in hostilities that have not been authorized, and the Constitution essentially says, in this situation, it is Congress's responsibility to debate and wrestle with whether to unleash our forces against Iran. So let's carry that responsibility, and as we do so, let's think how close we were to a third major war in the Middle East.

We had a war and are still at war in Afghanistan. Now, the authorization for the use of military force in regard to Afghanistan was very narrowly tailored. That authorization said that our forces are authorized to attack those who attacked us on 9/11 and those who harbor those forces.

It is now as if that AUMF had language added to it, language which essentially said and: any other group we disagree with in the world. The words that are often quoted as being part of that AUMF are "and related forces."

But do you know what? That language isn't in that AUMF. This Congress gave a very, very narrow assignment for the authorization of force, and it has been expanded massively. We could debate whether or not that authorization has been stretched to the breaking point. I think it has. I think it has been abused. It has been misused, and it dishonors the fact that Congress was so specific with that authorization.

The result is that here we are, 19 years later. We didn't pursue a simple mission of taking out the training camps. We pursued a mission that has cost this Nation \$1 trillion and thousands of our sons and daughters and tens of thousands with lifetime injuries.

So we have that war. We know what kind of damage and costs there can be to an ill-considered strategy.

Then, we have the war we had against Iraq and authorized by a 2002 authorization for use of military force, or AUMF, and this was also very narrowly crafted. The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to defend the national security of the United States against the continuing threat posed by Iraq—not posed by anyone else, just by Iraq—and to enforce

the relevant United Nations Security Council resolutions regarding Iraq—very, very specific.

Now, the administration is arguing that this AUMF from 2002, about Iraq, provides authority to go to war against Iran. It is just like the stretching of the 2001 AUMF that said go after those who harbored the 9/11 terrorists but has been stretched to go after other groups all over the world.

But in both these cases, it was an authorization. Congress did debate. Yes, they have been abused after they were passed, but what there wasn't was an open door without Congress involved.

So we must do our job here and realize the gravity of these conflicts and get the full, extensive information and make sure there is no fake news in that information.

On the Iraq AUMF, this body operated on the solemn guarantee that there were weapons of mass destruction being developed by Iraq. It proved out to be false.

So when we do hold the debate over Iran, let's make sure we get the absolutely honest intelligence, not the spin, not the cherry-picked intelligence, not partial, not selected to drive a conclusion—the honest, fully honest, situation of our activities and their activities and the threats that they pose.

That is the responsibility we have—to make sure that the information we wrestle with is absolutely accurate and then to weigh the heavy cost of different strategies that may or may not involve force before we vote for force. It is a big responsibility, and I have heard Members of this Chamber say: You know what; it is such a tough decision. What if I get it wrong? Let's just let the Executive make that decision. If I misjudge it and don't vote to go to war and, for example, maybe there were those weapons of mass destruction equivalent to Iraq, I don't want to make that mistake, and people back home will not like it if I make that mistake. If I vote to go to war and the information is wrong and the strategy is wrong, well, then, people back home won't like that either.

So let's just ignore the Constitution. Let's just ignore our oath to the Constitution. Let's just let the person down Pennsylvania Avenue do what he wants because we don't like the burden imposed on us by this document that says that issue has to be debated here.

The decision to use force has to be debated and decided here, not there, because it is too big a question to leave to a single individual.

Our Constitution starts out with these words: "We the people." They did not want to create a King. They did not want to create an imperial Presidency that acted like a King. They wanted a nation run of, by, and for the people.

The question of war is our responsibility. We must make the decision here, and that is why I urge my colleagues to take and say yes, we will vote for this S.J. Res. 68 because it says we are demanding the administra-

tion do what the Constitution demands, which is to place the question of going to war with Iran with this body.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from North Dakota.

ORDER OF BUSINESS

Mr. CRAMER. Mr. President, I ask unanimous consent that the only first-degree amendments in order to S. J. Res. 68 be the following: 1301, 1322, 1305, 1314, 1320, and 1319; I further ask that no second-degree amendments be in order to the amendments listed, with the exception of amendment No. 1319; that the Senate vote in relation to the amendments in the order listed at 10:30 a.m. tomorrow; and that there be 2 minutes of debate, equally divided, prior to each vote. Further, I ask unanimous consent that all debate time on S.J. Res. 68 expire at 1:45 p.m. tomorrow, with the last 40 minutes, equally divided, under the control of Senators RISCH, INHOFE, MENENDEZ, and KAIN; and finally, that upon use or yielding back of that time, the joint resolution be read a third time and the Senate vote on passage of the joint resolution, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NOS. 1301, 1322, 1305, 1314, 1320, AND 1319, EN BLOC

Mr. CRAMER. Mr. President, I ask unanimous consent that the amendments listed be called up by number en bloc.

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

The clerk will report the amendments by number, en bloc.

The senior assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CRAMER], for other Senators, proposes amendments numbered 1301, 1322, 1305, 1314, 1320, and 1319.

The amendments are as follows:

AMENDMENT NO. 1301

(Purpose: To amend the findings)

In section 1, insert after paragraph (3) the following:

(4) Members of the United States Armed Forces and intelligence community, and all those involved in the planning of the January 2, 2020, strike on Qasem Soleimani, including President Donald J. Trump, should be commended for their efforts in a successful mission.

AMENDMENT NO. 1322

(Purpose: To amend the findings)

On page 2, between lines 23 and 24, insert the following:

(5) More than 100 members of the United States Armed Forces sustained traumatic brain injuries in the Iranian retaliatory attack on the Ain al-Assad air base in Iraq despite initial reports that no casualties were sustained in the attack.

AMENDMENT NO. 1305

(Purpose: To exempt from the termination requirement United States Armed Forces engaged in operations directed at designated terrorist organizations)

On page 4, line 14, insert "except United States Armed Forces engaged in operations

directed at entities designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)," after "or military,".

AMENDMENT NO. 1314

(Purpose: To amend the findings)

On page 1, between lines 7 and 8, insert the following:

(2) The President has a constitutional responsibility to take actions to defend the United States, its territories, possessions, citizens, service members, and diplomats from attack.

AMENDMENT NO. 1320

(Purpose: To amend the findings)

In section 1, strike paragraph (6) and insert the following:

(6) The United States Armed Forces are not currently engaged in hostilities, as contemplated by the War Powers Resolution, against Iran. The United States strike against terrorist leader Qasem Soleimani to protect the lives of United States service members and diplomats is lesser in scope, nature, and duration than, and consistent with, previous administrations' exercises of war powers.

(7) The United States' maximum pressure strategy against Iran has reduced the Government of Iran's resources available to attack the United States and United States interests by limiting the resources available to the Government of Iran to support weapons development and terrorist proxies throughout the region.

AMENDMENT NO. 1319

(Purpose: To amend the rule of construction)

In section 2, amend subsection (b) to read as follows:

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to prevent the United States from defending itself, including its territories, citizens, troops, personnel, military bases, and diplomatic facilities from attack, including acting to prevent an attack; or

(2) to restrict missions related to force protection of United States aircraft, ships, or personnel.

MORNING BUSINESS

Mr. CRAMER. 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.

THE CORONAVIRUS OUTBREAK AND PANDEMIC PREPAREDNESS

Mr. LEAHY. Mr. President, since first emerging in Wuhan, China, on December 31, the outbreak of a new coronavirus, COVID-19, "novel coronavirus", has spread to 25 countries, infected more than 44,000 people, caused at least 1,100 deaths, forced entire cities into lockdown, triggered hundreds of international flight cancellations, restricted hundreds of Americans to U.S. military bases in Federal Government quarantine, and caused significant economic harm to countries and businesses around the globe, all this in only 6 weeks, with no end in sight.

The virus has infected and killed more people and has done so faster

than the SARS outbreak in China in the early 2000s, which infected 8,098 people and caused 774 deaths worldwide. The World Health Organization—WHO—has formally declared a public health emergency of international concern—the sixth such declaration since 2009—and the outbreak will get worse, possibly far worse, before it gets better.

While the novel coronavirus outbreak is alarming and is creating fear around the world, it should not be surprising.

Scientists, epidemiologists, and other global health experts have for years warned that infectious disease outbreaks will continue to occur more frequently and cause greater harm, and that most emerging viruses will spread from animals to humans. Such zoonotic viruses are increasingly common as human activity, including population growth and expanding human encroachment into wildlife habitat, increases contact between animals and humans, which is what happened in Wuhan.

The coronavirus strain threatening us today is believed to have emerged from a bat, and potentially passed through another animal before infecting humans in a live-animal market. Such animal markets, which in China and many other countries include bats, rats, birds, porcupines, and other animals infected with viruses, are sources of protein for hungry humans, but also serve as breeding grounds for zoonotic diseases.

Scientists estimate that there are more than 1.6 million unknown viral disease species in mammalian and avian populations, of which an estimated 600,000 to 850,000 have the potential to infect humans. As we saw during SARS, Ebola, and MERS and are now seeing once again, infectious disease outbreaks threaten not only human health but also cause economic harm and social upheaval.

We should all be asking whether we, the United States and the international community, are doing enough to combat and prepare for this known and escalating threat. It seems obvious that we are not.

In fact, while the President and Secretary of State have repeatedly said that protecting the health and safety of American citizens is their highest priority, that is not borne out by the facts. The American people should be aware that the Trump administration has consistently proposed cuts in funding for the very programs designed to help prevent outbreaks and contain the spread of infectious diseases like the novel coronavirus. Even in the President's fiscal year 2021 budget request sent to Congress this week, in the midst of a deadly infectious disease outbreak that will almost certainly become a global pandemic, the administration has proposed to pay less than half of what the U.S. owes WHO, in addition to requesting a 10 percent cut to U.S. Agency for International Development—USAID—pandemic preparedness

programs. It is a reckless game of Russian roulette with a global threat we absolutely must prepare for. Yesterday, it was SARS, then it was Ebola; today, it is Ebola again and a coronavirus. Tomorrow, it may be something that is even deadlier and spreads even faster. Fortunately for the American people, Congress has rejected those cuts in the past and increased funding for most global health programs, and I am confident we will do the same this year, but far more needs to be done.

Funding for pandemic preparedness at the Centers for Disease Control and Prevention, USAID, National Institutes of Health, Department of Health and Human Services, and other Federal agencies that play an indispensable role in preparing for and responding to outbreaks should be significantly increased, not forced to cut programs and personnel as the administration has proposed. It makes no sense to be shortchanging the agencies and programs we all depend on to protect public health, keep our ports of entry open, and keep our commerce flowing.

Pandemic response is critical, but often, by then, it is too late. We can and must do more to proactively reduce pandemic risk. One approach I have urged is for a global viral discovery effort. Such a concept was proven successful through USAID's PREDICT program, which used the collection and analysis of wildlife samples in areas of the world most at risk for zoonotic disease to identify new emerging viruses with pandemic potential. PREDICT was able to discover hundreds of disease pathogens at their source, rather than waiting for human infection.

In China, the PREDICT program sampled more than 10,000 bats and identified more than 500 new coronaviruses, including a strain that is a 96 percent match to the 2019 novel coronavirus strain. The known existence of and readily available data on such a close relative is one reason China was able to quickly sequence the novel strain and identify the animal source of the outbreak.

As the 10-year PREDICT program comes to an end this year, USAID is working to design the next phase of programming to build on the successful analytical and modeling work demonstrated through PREDICT. Others in the international community should use the lessons learned and techniques proven through PREDICT to inform their own efforts.

Investing in biomedical research focused on infectious disease is another crucial, proactive step to reducing pandemic risk. The NIH's National Institute of Allergy and Infectious Diseases—NIAID—has a unique mandate to conduct and support basic and applied research on established infectious diseases and also to quickly launch a research response to newly emerging and reemerging infectious threats. With NIAID support, scientists design

and develop new diagnostics, treatments, and preventive strategies, including vaccines, which can be deployed to protect and treat people worldwide.

Yet, in the midst of the novel coronavirus emergency, the President's budget would cut \$3.1 billion from NIH and assumes the reduction is spread across-the-board to all 27 Institutes and Centers, including NIAID. Slashing infectious disease research programs threatens our ability to develop better therapeutics and vaccines for high priority pathogens, as well as the rapid development of medical countermeasures against emerging infectious diseases, like the coronavirus, when they arise.

The President's budget features similar dangerous cuts to CDC programs that have been pivotal in combating the novel coronavirus response, proposing a \$693 million overall decrease from fiscal year 2020. Although the administration touts its \$175 million proposal for Global Health Security in fiscal year 2021, it simultaneously cuts almost \$100 million from other crucial global health investments, including in global HIV/AIDS, global polio eradication, global immunization, and the global public health capacity and development programs. This is short-sighted and dangerous.

The President's budget proposes only \$50 million, a \$35 million decrease compared to fiscal year 2020, for CDC's Infectious Disease Rapid Response Reserve Fund—IDRRRF—which has served as the primary source of funding for responding to the novel coronavirus outbreak. This risks potentially undermining the agency's ability to access funding to initiate an early and rapid response to emerging pandemic threats like novel coronavirus when the U.S. is faced with a public health emergency. The administration also proposes an \$85 million cut to the CDC's Center on Emerging and Zoonotic Infectious Disease and a \$25 million cut to the Public Health Preparedness and Response Program.

Slashing these programs weakens CDC's ability to provide rapid scientific support during outbreaks of infectious disease, maintain support for global health programs that build core public health capabilities and bolster frontline preparedness internationally, and ensure that State and local health departments are ready to handle many different types of emergencies that threaten the health and resilience of families, communities, and the Nation. Thus, while the White House named its fiscal year 2021 budget A Budget for America's Future, it is anything but that. There is no better example of where this Administration's rhetoric clashes with reality than the drastic cuts they propose to the very programs that protect the American people from deadly communicable diseases.

I continue to urge USAID, other Federal agencies, the White House, and Members of Congress to support a more

proactive approach to reducing pandemic risk. Today, we are struggling to control outbreaks of Ebola and the novel coronavirus, and while we don't know which viruses will next attack us, we do know it is not a matter of if: but when, and we must do everything we can to prepare. The more information we have about potential zoonotic viruses, the better able we will be to respond. The stakes are immense. Thousands, tens of thousands, hundreds of thousands, even millions of lives could be lost, and the amount of funding necessary to control it would be incalculable.

VOTE EXPLANATION

Mr. RUBIO. Mr. President, I was presiding over the Committee on Foreign Relations while the chairman was voting. The vote ended before I was able to return and cast my vote in favor of the confirmation of John Fitzgerald Kness to be U.S. District Judge for the Northern District of Illinois.

ADDITIONAL STATEMENTS

RECOGNIZING THE 2020 ARKANSAS BUSINESS HALL OF FAME HONOREES

• Mr. BOOZMAN. Mr. President, I rise today to recognize the newest members of the Arkansas Business Hall of Fame.

Arkansas native Olivia Farrell is a shining example of what a lifetime of hard work and devotion looks like. After graduating from the University of Arkansas at Little Rock in 1978, she joined the Arkansas Writers Project, selling ads for the Arkansas Times. Shortly after, the Writers Project also created Arkansas Business, which was later purchased by Farrell and became the Arkansas Business Publishing Group, where she served as CEO.

Not only did Farrell find personal success in business, but she also sought to help bring more women into the business community. As such, Farrell created and promoted an annual magazine highlighting the top 100 women in Arkansas. This list encouraged companies and their stakeholders to bring more women into their ranks. Furthermore, she created the Women's Foundation of Arkansas to promote increased investment in women's education, business opportunities, and philanthropy.

Some of her most notable awards include being inducted in the Arkansas Women's Hall of Fame, as well as being the recipient of the Business and Professional Leader of the Year award by the Rotary Club of Little Rock. Her leadership and kindness have been the subject of much deserved praise.

Reynie Rutledge was born in Smackover, AR. Growing up in a small Arkansas town taught him the value of hard work and doing the right thing. He earned an undergraduate degree in industrial engineering from the Univer-

sity of Arkansas prior to earning his MBA in 1973. Upon leaving school, he was hired as a loan officer at Worthen Bank in Little Rock. A few years later, Rutledge took a gamble in purchasing First Security Bank, which at the time had only three branches and \$46 million in assets. Under his leadership, the small Searcy, AR, bank grew into a \$5.9 billion dollar holding company with over 77 locations across 17 counties and 34 communities, with more than 1,000 employees across the State.

Rutledge has always given back to the Natural State. He has been an active member of Searcy's First United Methodist Church since 1977 and also serves on the Searcy Water Board. Rutledge has also served as a member of the University of Arkansas Board of Trustees, chairman of the selection committee of the Arkansas Business Hall of Fame, and chairman of the Arkansas Bankers Association. Some of the many accolades he has received over his career include the University of Arkansas 2000 Volunteer of the Year, 2012 University of Arkansas Distinguished Alumni Award, and 2011 Lifetime Achievement Award from the Walton College of Business.

Gerald B. Alley was born in Pine Bluff, AR. As the son of a businessowner, he saw firsthand the hard work and commitment required to produce a thriving business that maximizes a person's ability to give back to their community. After finishing his education and working for his father, Alley enrolled at the University of Arkansas at the age of 16, majoring in finance. After graduating from the University of Arkansas, he continued his education at Southern Methodist University, where he earned his MBA.

Along with the help of his brother, Troy, Jr., he started Con-Real. Under his leadership, Con-Real built the largest parking garage in Texas. Additionally, the company helped build schools, stores, and other facilities that provided entertainment and essential services to the community. As Alley gained more experience as a business leader, he expanded Con-Real's services and launched another firm focused on medical construction which represented the largest medical system in the U.S. Today, Con-Real offers a multitude of services ranging from real estate to technology and innovation while consistently promoting minority firms.

Aside from his business ventures, Alley serves on the executive advisory board at the Walton College of Business at the University of Arkansas. Additionally, he is on the advisory board at the Cox School of Business at Southern Methodist University and is also a member of the board of trustees at the school. After years of business and philanthropic success, he has proven to be a role model for anybody who values dedication, hard work and perseverance.

Charles Nabholz was born near Squirrel Hill, AR. Hailing from a farming

family, he was instilled with a strong work ethic that served him well. Though the family business began in 1949, he began his career with Nabholz Construction after graduating from Conway's St. Joseph High School in 1954.

He began his career with the company as a laborer. Eventually, Nabholz founded and managed Con-Ark builders, a company that would later merge with Nabholz Construction. After a brief stint out of the State, he returned to serve as Governor Frank White's director of State Building Services. He continued to serve as a valuable asset outside of the State government, helping to create Nabholz Properties and serving as chairman of the board for the Nabholz Group in 2000. In 2014, he was named chairman emeritus of Nabholz Group.

Charles Nabholz is an extremely involved member of his community. Not only is he a member of the several Arkansas trade associations, but he actively participates in or has previously contributed his time to several groups such as the Conway Regional Medical Center Foundation, the Conway Chamber of Commerce, and the Arkansas Research Alliance. Among the many honors he has received are an award for Leadership in Free Enterprise and the Distinguished Citizen Award.

I congratulate each of these honorees for their valuable contributions to Arkansas and the industries they represent. Our State is certainly better off because of the work each has done to advance their own careers, as well as the companies they have led. This honor is a fitting way to acknowledge them and memorialize their legacies in the Natural State's business community.●

TRIBUTE TO JIM BYRUM

• Mr. PETERS. Mr. President, I rise today to recognize Mr. Jim Byrum's term of service as president of the Michigan Agri-Business Association, as well as his contributions to Michigan's agriculture industry as a whole.

Jim was born and raised in Onondaga, MI, the fourth generation of his family to live on the family farm. He maintained his passion for agriculture by spending his career advocating for individuals in the industry and the industry itself, first as the executive director of the Michigan Bean Commission, then as the State executive director of the Michigan Farm Service Agency, and finally as the president of the Michigan Agri-Business Association.

Founded in 1903, the Michigan Agri-Business Association supports Michigan agriculture through State and national education, promotion, and advocacy. During his 24 years as president, Mr. Byrum has guided the association and its members through expansive changes in environmental awareness, agricultural genetics, and economic factors. With his past experience and in

his role as head of the Michigan Agri-Business Association. Mr. Byrum solidified his reputation as a well-respected leader in agricultural policy and, through the association, represented and championed the needs of the over 500 member organizations from every agricultural sector in Michigan. He expertly communicated with lawmakers and stakeholders to ensure that Michigan remained a leader in agriculture, the State's second largest industry.

It is my honor to congratulate my friend Jim Byrum for his decades of service to Michiganders, especially in his outgoing role as president of the Michigan Agri-Business Association. As the association reflects on the end of Mr. Byrum's term as President, I ask my colleagues to join me in congratulating him for his tireless dedication to Michigan's hard-working agricultural workers and all of us who depend on the goods and services they provide.●

RECOGNIZING THE YESCO CENTENNIAL

● Mr. RUBIO. Mr. President, I commend youth team sports in general, and the sponsors of my youth football team in particular. For those that may not know, I love football. I played it, coached it, and now watch my sons learn the same valuable lessons I did many years ago. Youth sports teach important life lessons and help build pride and a sense of community within schools, neighborhoods, and even cities. I learned those lifelong lessons growing up in Las Vegas, where I played for a youth football team called the Cavaliers. My dad even volunteered as the team's equipment manager.

As a former member of the Cavaliers youth football team, I am honored to recognize a special milestone of the sponsor of my team, the Young Electric Sign Company—YESCO. In 2020, YESCO celebrates its 100th year; a centennial event is scheduled February 20, 2020, in Salt Lake City, UT, the company's home base.

In many ways, the story of YESCO is the story of America: innovation, invention, a restlessness to move beyond the status quo, and commitment to others. The history of YESCO resonates with me, the son of an immigrant. YESCO was founded in 1920 by an immigrant from Liverpool named Tom Young, who borrowed \$300. By the end of that decade, he had 27 fulltime employees. By 1932, YESCO was building signs in Las Vegas, which is now a showcase of YESCO signage.

Today, YESCO is creating hundreds of signs for the new football stadium in Las Vegas, the Raiders' \$2 billion Allegiant Stadium. The largest video board will be 180 feet on the front of the stadium, facing Interstate 15 and Dean Martin Drive, not far from where my team the Cavaliers played youth football. As a Floridian, I note that YESCO contracted with Disney World in the

1980s to create sophisticated, high-tech signs at EPCOT Center.

The 2028 Summer Olympics will be hosted by Los Angeles. Men and women's soccer matches will be played at the new, state-of-the-art Banc of California Stadium, which will feature a high-tech LED digital sign built by a U.S. company called YESCO. Many of those athletes got their start because of volunteer coaches, dedicated parents, and corporate sponsors that understood the meaning of community.

As a parent and as a former football player, I salute the men and women who volunteer to coach youth sports and the corporate sponsors who help put kids on the field.

Congratulations, YESCO, on 100 years of growth and leadership. Thank you for your community involvement and for putting a football jersey on a skinny kid in Las Vegas who someday would be elected to the U.S. Senate.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 9:32 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1980. An act to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1980. An act to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes; to the Committee on Rules and Administration.

MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Foreign Relations by motion, pursuant to 50 U.S.C. 1546a, and placed on the calendar:

S.J. Res. 68. Joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3275. A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3961. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-3962. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3963. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the fiscal year 2019 report of the Federal Coordinated Health Care Office; to the Committee on Finance.

EC-3964. A communication from the Director of the Regulations and Disclosure Law Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Import Restrictions Imposed on Archaeological Material from Jordan" (RIN1515-AE51) received in the Office of the President of the Senate on February 5, 2020; to the Committee on Finance.

EC-3965. A communication from the Director of the Regulations and Disclosure Law Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Emergency Import Restrictions Imposed on Certain Archaeological and Ethnological Material from Yemen" (RIN1515-AE50) received in the Office of the President of the Senate on February 5, 2020; to the Committee on Finance.

EC-3966. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, sixteen (16) reports relative to vacancies in the Department of State, received in the Office of the President of the Senate on February 10, 2020; to the Committee on Foreign Relations.

EC-3967. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms Regulations: U.S. Munitions List Categories I, II, and III" ((RIN1400-AE30) (22 CFR Parts 121.123, 124, 126, and 129)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2020; to the Committee on Foreign Relations.

EC-3968. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Ryan White HIV/AIDS Program Parts A and B Supplemental Awards for Fiscal Year 2019 Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-3969. A communication from the Regulations Coordinator, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Guidelines for Determining the Probability of Causation under the Energy Employees Occupational Illness Compensation Program Act of 2000; Technical Amendments" (RIN0920-AA74) received in the Office of the President of the Senate on February 5, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-3970. A communication from the Deputy Director, Office of Documents and Regulations Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Administrative Simplification: Modification of the Requirements for the Use of Health Insurance Portability and Accountability Act of 1996 (HIPAA) National Council for Prescription Drug Programs (NCPDP) D.0 Standard" (RIN0938-AT52) received during adjournment of the Senate in the Office of the President of the Senate on January 31, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-3971. A communication from the Director of the Office of Government Ethics, transmitting, pursuant to law, the office's Congressional Budget Justification, Annual Performance Plan for fiscal year 2021, and the annual Performance Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3972. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Emergency Management Agency, Department of Homeland Security, received in the Office of the President of the Senate on February 5, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-3973. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-203, "Fiscal Year 2020 Budget Support Clarification Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3974. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-204, "Primary Election Filing Requirement Temporary Amendment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-3975. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-216, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-3976. A communication from the Associate Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3977. A communication from the Director of the Office of Financial Reporting and Policy, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report entitled "FY 2019 Agency Financial Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-3978. A communication from the Acting Secretary of the Commission, Bureau of

Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 8 of the Clayton Act" received in the Office of the President of the Senate on February 5, 2020; to the Committee on the Judiciary.

EC-3979. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to applications for delayed-notice search warrants and extensions during fiscal years 2018 and 2019; to the Committee on the Judiciary.

EC-3980. A communication from the Chief of Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extension of Compliance Date for Entry-Level Driver Training" (RIN2126-AC25) received in the Office of the President of the Senate on February 5, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3981. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Grundy, Virginia" ((RIN2120-AA66) (Docket No. FAA-2019-0785)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3982. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Winona, Minnesota" ((RIN2120-AA66) (Docket No. FAA-2019-0764)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3983. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0442)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3984. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0702)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3985. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0860)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3986. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0725)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3987. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0610)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3988. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0721)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3989. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-1078)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3990. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0858)) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3991. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Transportation, received in the Office of the President of the Senate on February 5, 2020; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-180. A resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania urging the United States Congress and the President of the United States to enact S. 1575 or similar legislation to award the Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION No. 627

Whereas, Of the more than 15 million soldiers who served in the armed forces in World War II, only 3,000 were Rangers; and

Whereas, The 1st Ranger Battalion was formed at the onset of the United States' involvement in the conflict as an elite unit modeled after the British Commandos; and

Whereas, The Rangers were highly and rigorously trained to attack in the dead of night from the least likely route and climb cliffs and speed march, enabling them to infiltrate deep behind enemy lines on foot; and

Whereas, There were six Ranger Battalions deployed during World War II, all of which were strictly volunteer; and Whereas, Each battalion was comprised of approximately 500 men; and

Whereas, At least 48 World War II Rangers came from this Commonwealth, 33 of which remained overseas in American battlefield cemeteries; and

Whereas, Three World War II Rangers in D Company, 2nd Ranger Battalion were from Altoona; and

Whereas, Two of the three climbed the cliffs at Pointe du Hoc and one destroyed five of six long-range artillery pieces at Pointe du Hoc; and

Whereas, There are only 41 known World War II Rangers alive nationwide; and

Whereas, It is imperative that these heroes are given the honor they deserve; therefore be it

Resolved, That the House of Representatives urge the President and the Congress of the United States to enact S. 1757 or similar legislation to award the Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-181. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress and the President of the United States to increase funding for the Great Lakes restoration initiative to \$475 million per year; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 157

Whereas, The Great Lakes are a critical resource for our nation and central to the economy, heritage, and quality of life of Michigan and the other seven states within the Great Lakes region. The Great Lakes hold over 84 percent of the United States' surface freshwater and drive a thriving regional economy, directly supporting 1.5 million U.S. jobs and generating \$62 billion in wages. More than 30 million U.S. residents depend on the Great Lakes for drinking water; and

Whereas, The Great Lakes Restoration Initiative (GLRI) has provided crucial funding to support long overdue work to protect and restore the Great Lakes. In partnership with the states, local governments, and other organizations, the federal government has invested more than \$3 billion and supported over 4,700 projects over the last decade, including around \$600 million for more than 1,100 projects in Michigan; and

Whereas, The Great Lakes Restoration Initiative represents a sound investment in both the environment and the economies of the Great Lakes region. A 2018 study calculated that for every federal dollar invested in Great Lakes restoration there is \$3.35 in additional economic activity, with older industrial cities like Detroit seeing an even higher return on investment; and

Whereas, Real progress has been made in cleaning up and restoring the Great Lakes thanks to the Great Lakes Restoration Initiative. One-third of the region's toxic hot spots have been cleaned up, sparking redevelopment and business opportunities on waterfronts. Area farms and conservation orga-

nizations have increased conservation practices, which have reduced harmful nutrient runoff, and habitat and wildlife connectivity continue to improve, with nearly 5,000 miles of rivers cleared of dams and other barriers; and

Whereas, Far more work needs to be done to ensure every person has a clean community in which to live, safe beaches to enjoy, and healthy fish to eat. Substantial limitations and threats to the use of the Great Lakes remain whether toxic algal blooms shutting down Toledo's drinking water supply, invasive carp threatening billion-dollar fisheries, or contaminated sediments restricting recreational opportunities; and

Whereas, The time to act is now. The ecological, economic, and health risks are too high. The problems will only get worse and the solutions more expensive and challenging in the future; Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to increase funding for the Great Lakes Restoration Initiative to \$475 million per year to boost the region's work of cleaning up toxic contamination, reducing runoff pollution, stopping invasive species, and protecting and restoring wetlands and other habitats; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 3277. A bill to amend title XIX of the Social Security Act to strengthen the infrastructure of, access to, and reporting of Medicaid home and community-based services, and for other purposes; to the Committee on Finance.

By Mr. RISCH (for himself and Mrs. SHAHEEN):

S. 3278. A bill to modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BOOKER:

S. 3279. A bill to amend title 38, United States Code, to provide additional entitlement to Post-9/11 Educational Assistance to certain veterans and members of the Armed Forces who require extra time to complete remedial and deficiency courses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself and Mr. BROWN):

S. 3280. A bill to amend the Internal Revenue Code of 1986 to clarify that high-taxed amounts are excluded from tested income for purposes of determining global intangible low-taxed income only if such amounts would be foreign base company income or insurance income; to the Committee on Finance.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 3281. A bill to amend the Solid Waste Disposal Act to require recycling of beverage containers, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASSIDY (for himself and Mr. TESTER):

S. 3282. A bill to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN:

S. 3283. A bill to amend part D of title IV of the Social Security Act to allow States to use incentive payments available under the child support enforcement program to improve parent-child relationships, increase child support collections, and improve outcomes for children by supporting parenting time arrangements for noncustodial parents in uncontested agreements, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself and Mr. BOOKER):

S. 3284. A bill to create a moratorium on the government use of facial recognition technology until a Commission recommends the appropriate guidelines and limitation for use of facial recognition technology; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TILLIS (for himself, Mr. JONES, Mr. BURR, Mr. CORNYN, Mr. CRUZ, Mr. LANKFORD, and Mr. ROUNDS):

S. 3285. A bill to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BLACKBURN (for herself, Mr. COTTON, Mr. CRAMER, Mrs. CAPITO, Mrs. LOEFFLER, Ms. ERNST, and Mr. ROUNDS):

S. 3286. A bill to restrict certain Federal grants for States that grant driver licenses to illegal immigrants and fail to share information about criminal aliens with the Federal Government; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. WARNER, Mr. GRASSLEY, Mr. JOHNSON, Mr. PERDUE, and Mr. LANKFORD):

S. 3287. A bill to modify the government-wide financial management plan, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HARRIS (for herself and Mrs. FEINSTEIN):

S. 3288. A bill to provide for the protection of and investment in certain Federal land in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 296

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 578

At the request of Mr. WHITEHOUSE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 578, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 648

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 648, a bill to ensure the humane treatment of pregnant women by reinstating the presumption of release and prohibiting shackling, restraining, and other inhumane treatment of pregnant detainees, and for other purposes.

S. 685

At the request of Mr. LEE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 685, a bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General.

S. 800

At the request of Mr. CASSIDY, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 800, a bill to establish a postsecondary student data system.

S. 1081

At the request of Mr. MANCHIN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1093

At the request of Mr. UDALL, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1093, a bill to award a Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II.

S. 1123

At the request of Mr. COONS, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1123, a bill to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens.

S. 1352

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 1352, a bill to establish a Federal Advisory Council to Support Victims of Gun Violence.

S. 1381

At the request of Mr. BOOZMAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1381, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 1508

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1508, a bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers.

S. 1725

At the request of Mr. CARDIN, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 1725, a bill to permit occupational therapists to conduct the initial assessment visit and complete the comprehensive assessment under a Medicare home health plan of care for certain rehabilitation cases.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1918

At the request of Mr. BOOZMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1918, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 2054

At the request of Mr. MARKEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2177

At the request of Mr. LANKFORD, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2177, a bill to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, and for other purposes.

S. 2300

At the request of Mr. WHITEHOUSE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2300, a bill to amend the Energy Independence and Security Act of 2007 to establish a program to incentivize innovation and to enhance the industrial competitiveness of the United States by developing technologies to reduce emissions of nonpower industrial sectors, and for other purposes.

S. 2332

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2332, a bill to provide for the modernization of the electric grid, and for other purposes.

S. 2483

At the request of Mr. WICKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2483, a bill to counter efforts by foreign governments to pursue, harass, or otherwise persecute individuals for political and other unlawful

motives overseas, and for other purposes.

S. 2662

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2662, a bill to amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes.

S. 2669

At the request of Mr. MARKEY, his name was added as a cosponsor of S. 2669, a bill to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes.

S. 2816

At the request of Ms. ROSEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2816, a bill to ensure that fixed broadband internet access service assisted by any Federal broadband support program meets a minimum speed threshold.

S. 2970

At the request of Ms. ERNST, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2970, a bill to improve the fielding of newest generations of personal protective equipment to the Armed Forces, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 3020, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes.

S. 3217

At the request of Ms. STABENOW, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3217, a bill to standardize the designation of National Heritage Areas, and for other purposes.

S. 3226

At the request of Mr. KENNEDY, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3226, a bill to amend title 18, United States Code, to prohibit certain abortion procedures, and for other purposes.

S. 3263

At the request of Mr. UDALL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3263, a bill to amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in

the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes.

S. J. RES. 68

At the request of Mr. KAINE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. J. Res. 68, a joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

S. CON. RES. 34

At the request of Mr. DAINES, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Con. Res. 34, a concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 234th anniversary of the enactment of the Virginia Statute for Religious Freedom.

S. RES. 458

At the request of Mr. LANKFORD, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. Res. 458, a resolution calling for the global repeal of blasphemy, heresy, and apostasy laws.

S. RES. 469

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 469, a resolution supporting the people of Iran as they engage in legitimate protests, and condemning the Iranian regime for its murderous response.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENZI (for himself, Mr. WARNER, Mr. GRASSLEY, Mr. JOHNSON, Mr. PERDUE, and Mr. LANKFORD):

S. 3287. A bill to modify the governmentwide financial management plan, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. ENZI. Mr. President, I rise to introduce the Chief Financial Officer Vision Act of 2020, shortened to be the CFO Vision Act of 2020. I am pleased to have Senators WARNER, GRASSLEY, JOHNSON, LANKFORD, and PERDUE join me as cosponsors of this bill to strengthen Federal financial management and improve financial and performance data.

Improved financial management—this is numbers; I know this puts people to sleep—improved financial management and better data can help us make more informed budget decisions and ensure that taxpayer money is wisely and appropriately spent. Effec-

tive financial management helps to safeguard taxpayer money and ensure that it is used lawfully, efficiently, and effectively for the purposes intended.

Thirty years ago, Congress passed the Chief Financial Officers Act of 1990, known as the CFO Act. This law laid a new foundation for Federal financial management. It established a financial management leadership structure, provided for long-range planning, required audited financial statements, and strengthened accountability reporting, among other reforms. The CFO Act also called for improvements in the integration of agency accounting and financial management systems, in performance measurement and cost information, and in our financial management workforce.

Since enactment of that act, we have seen substantial improvements in Federal financial management. Today, agencies have CFOs in place to provide leadership and accountability over financial operations, and most agencies receive clean audit opinions on their annual financial statements. However, serious and persistent problems remain.

Many agencies have struggled to modernize legacy accounting systems and are unable to integrate their financial and performance data. Oftentimes, the Federal Government is unable to show the relationship between dollars spent and results achieved. After more than 20 years of trying, the Government Accountability Office still cannot give an opinion on the Federal Government's consolidated financial statements. They cite serious financial management problems at the Department of Defense, among other issues.

The legislation we are introducing would update that 1990 law in a handful of key ways to ensure sustained progress in improving Federal financial management. It is based in large part on a GAO—Government Accountability Office—review of the 1990 law and testimony last October from the Comptroller General of the United States, Gene Dodaro, before the Senate Budget Committee.

First, the CFO Vision Act would standardize CFO and Deputy Chief Financial Officer responsibilities, which do vary across Federal agencies. To allow for better strategic decision making, the Chief Financial Officer Vision Act would specify that the Chief Financial Officer responsibilities should include budget formulation and execution, planning and performance, risk management and internal controls, financial systems, and accounting.

The bill would also ensure that the Deputy Chief Financial Officers could provide continuity in the event of a Chief Financial Officer vacancy. Major financial management improvement initiatives can take years to implement, potentially outlasting the CFO's tenure. By establishing appropriate statutory responsibilities for the Deputy Chief Financial Officers, the bill

would help minimize the effects of the CFO turnover.

Secondly, the bill would update the governmentwide and agency-level planning requirements to ensure they are reasonable and allow for proper planning and monitoring. The updated plans would include projected milestones and estimated implementation costs. Annual status updates would allow Congress to track progress toward these milestones and how closely actual costs match those that were projected.

Third, the CFO Vision Act would require the Office of Management and Budget to develop performance-based metrics to determine the status and progress of agencies and how they are making progress toward achieving cost-effective and efficient government operations.

Currently, only limited financial management performance-based metrics exist, such as the financial statement audit opinion and reporting of identified material weaknesses. All accountants understand these terms.

Currently, only limited financial management performance-based metrics exist, such as the financial statement audit opinion and the reporting of identified material weaknesses. I could say that a third time, and still people wouldn't understand it.

This new requirement would provide a more complete and consistent measurement of the quality of the agencies' financial management. These performance metrics would be required to be included in the governmentwide and agency-level financial management plans and status reports. That means we will have more information to work with.

Finally, our bill would require agency management to annually assess and report on the effectiveness of internal control—whether they are really keeping track of everything and ensuring that it is correct—the effectiveness of internal control over financial reporting and other key financial management information. Auditors would also be required to independently assess internal controls. Such assessments will improve confidence in the reliability of financial reporting.

The CFO Vision Act builds on the CFO Act's foundation. By updating it, we can achieve more effective financial management, which I believe will ultimately lead to increased accountability and results and understanding by the Senators.

I am pleased that our bill has been endorsed by the National Taxpayers Union, the Project on Government Oversight, the DATA Coalition, the R Street Institute, Citizens Against Government Waste, Truth in Accounting, and Taxpayers for Common Sense. I think that means that there are accountants on the boards of all of those. This shouldn't be a controversial piece of legislation. It just should be an essential update so we know what is happening with the trillions of dollars that

we are allocating, spending, and checking up on. I urge my colleagues to support this bill.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1314. Mr. CRAMER (for Mr. RISCH) proposed an amendment to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

SA 1315. Mr. RISCH submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, supra; which was referred to the Committee on Foreign Relations.

SA 1316. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, supra; which was referred to the Committee on Foreign Relations.

SA 1317. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, supra; which was referred to the Committee on Foreign Relations.

SA 1318. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, supra; which was referred to the Committee on Foreign Relations.

SA 1319. Mr. CRAMER (for Mr. SULLIVAN (for himself, Mr. MCCONNELL, Mr. CRUZ, Mr. ROUNDS, and Mr. PERDUE)) proposed an amendment to the joint resolution S.J. Res. 68, supra.

SA 1320. Mr. CRAMER (for Mr. RUBIO (for himself and Mr. RISCH)) proposed an amendment to the joint resolution S.J. Res. 68, supra.

SA 1321. Mr. MANCHIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, supra; which was ordered to lie on the table.

SA 1322. Mr. CRAMER (for Mr. REED) proposed an amendment to the joint resolution S.J. Res. 68, supra.

SA 1323. Mr. CRAMER (for Mr. GRAHAM) proposed an amendment to the bill H.R. 1365, to make technical corrections to the Guam World War II Loyalty Recognition Act.

TEXT OF AMENDMENTS

SA 1314. Mr. CRAMER (for Mr. RISCH) proposed an amendment to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; as follows:

On page 1, between lines 7 and 8, insert the following:

(2) The President has a constitutional responsibility to take actions to defend the United States, its territories, possessions, citizens, service members, and diplomats from attack.

SA 1315. Mr. RISCH submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; which was referred to the Committee on Foreign Relations; as follows:

In section 1, strike paragraph (6) and insert the following:

(6) The United States Armed Forces are not currently engaged in hostilities, as con-

templated by the War Powers Resolution, against Iran. The United States strike against terrorist leader Qasem Soleimani to protect the lives of United States service members and diplomats is lesser in scope, nature, and duration than, and consistent with, previous administrations' exercises of war powers.

SA 1316. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; which was referred to the Committee on Foreign Relations; as follows:

On page 4, line 19, insert "or to prevent the President from employing all the instruments of national power, including military force, to prevent the Islamic Republic of Iran from acquiring a nuclear weapon" after "attack".

SA 1317. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; which was referred to the Committee on Foreign Relations; as follows:

On page 4, line 19, insert "including the threat of an attack posed by the acquisition of a nuclear weapon by the Islamic Republic of Iran" after "attack".

SA 1318. Mr. JOHNSON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; which was referred to the Committee on Foreign Relations; as follows:

On page 4, line 19, insert "and its allies, including Israel," after "defending itself".

SA 1319. Mr. CRAMER (for Mr. SULLIVAN (for himself, Mr. MCCONNELL, Mr. CRUZ, Mr. ROUNDS, and Mr. PERDUE)) proposed an amendment to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; as follows:

In section 2, amend subsection (b) to read as follows:

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to prevent the United States from defending itself, including its territories, citizens, troops, personnel, military bases, and diplomatic facilities from attack, including acting to prevent an attack; or

(2) to restrict missions related to force protection of United States aircraft, ships, or personnel.

SA 1320. Mr. CRAMER (for Mr. RUBIO (for himself and Mr. RISCH)) proposed an amendment to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; as follows:

In section 1, strike paragraph (6) and insert the following:

(6) The United States Armed Forces are not currently engaged in hostilities, as contemplated by the War Powers Resolution, against Iran. The United States strike against terrorist leader Qasem Soleimani to protect the lives of United States service members and diplomats is lesser in scope, nature, and duration than, and consistent with, previous administrations' exercises of war powers.

(7) The United States' maximum pressure strategy against Iran has reduced the Government of Iran's resources available to attack the United States and United States interests by limiting the resources available to the Government of Iran to support weapons development and terrorist proxies throughout the region.

SA 1321. Mr. MANCHIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 1, strike line 3 and insert the following:

SECTION 1. PURPOSE.

The purpose of this joint resolution is to fulfill the intent of the framers of the Constitution of the United States and ensure that before the President commits United States Armed Forces to hostilities, Congress either declares war or authorizes the use of military force, except where necessary to protect the United States from an imminent attack.

SEC. 2. FINDINGS.

SA 1322. Mr. CRAMER (for Mr. REED) proposed an amendment to the joint resolution S.J. Res. 68, to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; as follows:

On page 2, between lines 23 and 24, insert the following:

(5) More than 100 members of the United States Armed Forces sustained traumatic brain injuries in the Iranian retaliatory attack on the Ain al-Assad air base in Iraq despite initial reports that no casualties were sustained in the attack.

SA 1323. Mr. CRAMER (for Mr. GRAHAM) proposed an amendment to the bill H.R. 1365, to make technical corrections to the Guam World War II Loyalty Recognition Act; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TECHNICAL CORRECTIONS TO GUAM WORLD WAR II LOYALTY RECOGNITION ACT.

Title XVII of division A of Public Law 114-328 is amended—

(1) in section 1703(e)—
(A) by striking "equal to" and inserting "not to exceed"; and

(B) by striking "covered into the Treasury as miscellaneous receipts" and inserting "used to reimburse the applicable appropriations";

(2) in section 1704(a) by striking "subject to the availability of appropriations," and inserting "from the Claims Fund"; and

(3) by striking section 1707(a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. CRAMER. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the majority and minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 9 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 10:15 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 10 a.m., to conduct a hearing on the following nominations: John Leonard Badalamenti, to be United States District Judge for the Middle District of Florida, Anna M. Manasco, to be United States District Judge for the Northern District of Alabama, Drew B. Tipton, to be United States District Judge for the Southern District of Texas, and Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, February 12, 2020, at 9 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. CARPER. Mr. President, I ask unanimous consent that Gary Jones and Kristin Butler, two legislative fellows on my staff, be granted privileges of the floor for the duration of the 116th Congress.

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

Mr. PAUL. Mr. President, I ask unanimous consent that the following interns in my office be granted floor privileges until May 1, 2020: Paige Grande, Michael Sugden, William Scott, and Noah Velafric.

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

Mr. ENZI. Mr. President, I ask unanimous consent that Dan Flavin, a Government Accountability Office detailee on the Budget Committee, be granted floor privileges for the remainder of the Congress.

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

B-47 RIDGE DESIGNATION ACT

Mr. CRAMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 343, S. 490.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 490) to designate a mountain ridge in the State of Montana as "B-47 Ridge".

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "B-47 Ridge Designation Act".

SEC. 2. DESIGNATION OF B-47 RIDGE, MONTANA.

(a) DESIGNATION.—

(1) *IN GENERAL.*—*The unnamed mountain ridge located at 45°14'40.89"N, 110°43'38.75"W that runs south and west of Emigrant Peak in the Absaroka Range in the State of Montana, which is the approximate site of a crash of a B-47, shall be known and designated as "B-47 Ridge".*

(2) *REFERENCES.*—*Any reference in a law, map, regulation, document, paper, or other record of the United States to the ridge described in paragraph (1) shall be deemed to be a reference to "B-47 Ridge".*

(b) AUTHORIZATION FOR PLAQUE.—

(1) *IN GENERAL.*—*The Secretary of Agriculture may authorize the installation and maintenance of a plaque on B-47 Ridge that—*

(A) memorializes the 1962 crash of the B-47 aircraft at the site; and

(B) may include the names of the victims of the crash.

(2) *AUTHORIZED TERMS AND CONDITIONS.*—*The Secretary of Agriculture may include any terms and conditions in the authorization for a plaque under paragraph (1) that the Secretary of Agriculture determines to be necessary.*

(3) *FUNDING.*—*No Federal funds may be used to design, procure, install, or maintain the plaque authorized under paragraph (1).*

Mr. CRAMER. I ask unanimous consent that the committee-reported amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 490), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

MAKING TECHNICAL CORRECTIONS TO THE GUAM WORLD WAR II LOYALTY RECOGNITION ACT

Mr. CRAMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1365 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1365) to make technical corrections to the Guam World War II Loyalty Recognition Act.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. CRAMER. I ask unanimous consent that the Graham amendment at the desk be agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 1323), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. TECHNICAL CORRECTIONS TO GUAM WORLD WAR II LOYALTY RECOGNITION ACT.

Title XVII of division A of Public Law 114-328 is amended—

(1) in section 1703(e)—

(A) by striking "equal to" and inserting "not to exceed"; and

(B) by striking "covered into the Treasury as miscellaneous receipts" and inserting "used to reimburse the applicable appropriations";

(2) in section 1704(a) by striking " , subject to the availability of appropriations," and inserting "from the Claims Fund"; and

(3) by striking section 1707(a).

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. CRAMER. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 1365), as amended, was passed.

Mr. CRAMER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR THURSDAY,
FEBRUARY 13, 2020

Mr. CRAMER. Mr. President, I ask unanimous consent that when the Senate complete its business today, it adjourn until 9:30 a.m., Thursday, February 13; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of S.J. Res. 68 under the previous order.

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

Mr. CRAMER. For the information of all Senators, we will vote in relation to six amendments starting at 10:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. CRAMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:17 p.m., adjourned until Thursday, February 13, 2020, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL ENERGY REGULATORY COMMISSION

JAMES P. DANLY, OF TENNESSEE, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2023, VICE KEVIN J. MCINTYRE.

FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

WILLIAM G. DAUSTER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS, VICE ROBERT D. REISCHAUER, TERM EXPIRED.

FEDERAL HOSPITAL INSURANCE TRUST FUND

WILLIAM G. DAUSTER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS, VICE ROBERT D. REISCHAUER, TERM EXPIRED.

FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

WILLIAM G. DAUSTER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS, VICE ROBERT D. REISCHAUER, TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

LORENZO CANDELARIA, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2024, VICE SHELLY COLLEEN LOWE, TERM EXPIRED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

TONY HAMMOND, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2025, VICE JAVAIID ANWAR, TERM EXPIRED.

FEDERAL LABOR RELATIONS AUTHORITY

CATHERINE BIRD, OF TEXAS, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS, VICE JULIA AKINS CLARK, TERM EXPIRED.

OFFICE OF PERSONNEL MANAGEMENT

CRAIG EDWARD LEEN, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT, VICE PATRICK E. MCFARLAND, RESIGNED.

DEPARTMENT OF JUSTICE

KENNETH CHARLES CANTERBURY, JR., OF SOUTH CAROLINA, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES, VICE BYRON TODD JONES, RESIGNED.

THE JUDICIARY

DAVID W. DUGAN, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS, VICE DAVID R. HERNON, RETIRED.

IAN D. JOHNSTON, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE FREDERICK J. KAPALA, RETIRED.

DEPARTMENT OF JUSTICE

TYREECE L. MILLER, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE JEFFREY THOMAS HOLT, TERM EXPIRED.

THE JUDICIARY

FRANKLIN ULYSES VALDERRAMA, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE RUBEN CASTILLO, RETIRED.

CHRISTY CRISWELL WIEGAND, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE PETER J. PHIPPS, ELEVATED.

DEPARTMENT OF JUSTICE

RICHARD E. ZUCKERMAN, OF MICHIGAN, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE KATHRYN KENEALLY, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WESLEY M. BAKER
CARTER L. BROWN
ZACHARY J. DONES
JOHN G. MOORE
JEDIDIAH J. RODGERS
JOSEPH M. TEMPLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID D. HAWKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT M. WAGNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

PETER J. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANDREW S. EVANS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN M. CRAIGHEAD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSE GARCIA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

OSAZE E. OKORO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

SETH P. OLCESE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMAL D. SNELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RYAN T. ARMSTRONG
MARK A. KAPERAK
KURT N. SISK
KEVIN M. TRUJILLO
RANDALL D. WENNER
SCOTT C. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL L. MARSH
MICHAEL B. PRATT
BRIAN W. STEVENS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

SYED I. AHMED
KEVIN S. AKERS
ZACHARY M. ARTHURS
JASON W. BENNETT
TAMARA L. BIEGA
MATTHEW A. BORGMAN
JOANNA G. BRANSTETTER
MARK D. BUZZELLI
JOSEPH G. CHEATHAM
ERIC CHIN

SUNGHUN CHO
PAUL CLARK
DANIEL V. CORDARO
JOHN M. CSOKMAY
DANIEL CUADRADO
SCOTT P. CUDA
DAVID C. DEBLASIO
MATTHEW J. ECKERT
BYRON J. FALER
EDWIN A. FARNELL IV
ERIC C. GARGES
DAVID L. GREENBURG
CHRISTINA D. HAHN
JASMINE J. HAN
MELVIN D. HELGESON
PETER M. HENNING
MARC W. HERR
ADAM L. HUILLET
NICHOLAS JASZCZAK
CHESTER C. JEAN
PETER KREISHMAN
ADRIAN T. G. KRESS
ANJALI N. KUNZ
ANTON P. LACAP
JEFFREY N. LACKEY
JEFFREY T. LACZEK
JEFFREY B. LANIER
ABIGAIL J. LEE
JOSEPH M. LURIA
ASHLEY MARANICH
NEIL MCMULLIN
ETHAN A. MILES
CAELA MILLER
JASON M. NAKAMURA
ANICETO J. NAVARRO
JUSTIN D. ORR
DAVID J. OSBORN
JAMES O. OYEKAN
MATTHEW PFLIPSEN
MATTHEW A. POSNER
SAMUEL L. PRESTON III
JENNIFER PUGLIESE
ERIC W. RAWIE
MEAGAN M. RIZZO
KATHLEEN M. SAMSEY
KEITH A. SCORZA
ROBERT SHIH
EVA SMETANA
VANCE Y. SOHN
DAVID R. STAGLIANO
JUSTIN J. STEWART
GERALD W. SURRETT
JACOB L. TURNQUIST
CHRISTINE M. VACCARO
ROXANNE E. WALLACE
ERIC D. WEBER
ROSS A. WITTERS
SCOTT E. YOUNG
D014798

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

BRADLEY AEBI
JAMES P. ARNOLD
TRAVIS J. AUSTIN
CHAD BANGERTER
CHUN Y. CHAN
HUI F. CHIU
KETRA T. GEORGE
JOHN K. GOERTEMILLER
KELLY J. JOHNSON
DANIEL D. KERSTEN
SOOMO LEE
PHILLIP W. NEAL
DAVID D. NELSON
LISA M. NOREY
KEVIN B. PARKER
JERROD L. SANDERS
JILL E. SANDERS
DAVID TUCKER

To be colonel

AZURE L. UTLEY
KEYVN WETZEL

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES MA-
RINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BENJAMIN M. ABLES
DAVID J. ABMA, JR.
JOSEPH C. ACCOUNTIUS
TYSON W. ADAMS
JESSE D. ADKISON
GABRIEL AGUIRRECARDENAS
JOSEPH P. ALBANO, JR.
HECTOR R. ALEJANDRO
SHAWN M. ALEXANDER
SALAHUDIN E. ALI
LUKE D. ALMENDINGER
JESHUA O. ALSTON
ANTONIO R. ALVARADO
JOSE E. ALVARADO
MARIANO ALVARADO
JORDAN D. AMES
ALEXANDRA B. ANDERSON
BRIAN M. ANDERSON
ERIC S. ANDERSON
JONATHAN R. ANDERSON
WESLEY D. ANLKER
MEREDITH B. ANTHONY
DARRICK A. APITZ
EMANUEL ARAICA
DYLAN A. ARMKNECHT
DANIEL J. ASHMORE
EZRAEL C. ATAJAR
JUSTIN D. ATKINS
JOHN E. AUER
LANE C. AVERY
ALEX L. AVILA, JR.
JOSE A. AVITTA
MATTHEW S. BABCOCK
ANDREW W. BATTY
PHILIP M. BALMES II
CAMERON J. BARKER
TYLER K. BARRETT
ALEX W. BARRON
BRIAN P. BARRY
ANDREW C. BARTON
CODY M. BARTON
OWEN E. BASHAW
BRIAN D. BASSI
FELIPE A. BAYONA
KEITH A. BEERS
JUDAH M. BEGAB
RYAN D. BEIL
JESSE A. BENNETT
RICHARD B. BENNING
BRYAN C. BERGMAN
TREVOR A. BERGMAN
CHRISTOPHER R. BERTUCCI
DAVID M. BICK
RALPH W. BIDDLE
MATTHEW D. BIESECKER
ROBERT D. BILLARD, JR.
MICHAEL P. BILLINGS
PETER M. BIRKELAND, JR.
KEVIN J. BISHOP
JUSTIN J. BISSELL
LARRY S. BLACK, JR.
NATHAN J. BLACKWELL
ALEXANDER B. BLANK
STEPHEN A. BLOODSWORTH
ALLAN R. BOEHM
STEPHAN A. BOHANAN
BRADLEY M. BOLTON
ANDREW B. BONELL
JONATHAN B. BONG
KATHERINE E. BOOKHOUT
KYLE A. BOOKHOUT
JOSHUA C. BOOKWALTER
GREGG R. BORMAN
JONATHAN E. BOUSKA
ANTONIO B. BOYD
KATE M. BRANNON
LOGAN A. BREWER
ANTHONY R. BRICH
BENJAMIN J. BRIDA
BENJAMIN J. BRIDA
BENJAMIN J. BRIDA
JASON M. BROCK
JOSEPH O. BROMEN
STEPHEN K. BROWER, JR.
AARON E. BROWN
AUSTIN A. BROWN
CALEB O. BROWN
RICHARD A. BROWN
STEPHEN A. BROWN
MICHAEL E. BRUCE
JOSEPH C. BURGER II
MARTIN X. BURKE
NICHOLAS J. BURLEY
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 EVAN F. KEEL
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 MICHAEL D. KENNEDY
 JOSHUA T. KETTENTON
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FOREIGN SERVICE

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 ROBERT HENRY HANSON, OF MARYLAND
 DARYA CHEHREZAD, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

CASEY EBEN BEAN, OF MARYLAND
 CHRISTINE STROSSMAN, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

CLAY M. HAMILTON, OF TEXAS

CONFIRMATIONS

Executive nominations confirmed by the Senate February 11, 2020:

DEPARTMENT OF STATE

JOHN HENNESSEY-NILAND, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND

PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

DONALD WRIGHT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED REPUBLIC OF TANZANIA.

DOROTHY SHEA, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LEBANESE REPUBLIC.

TODD C. CHAPMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

THE JUDICIARY

ANDREW LYNN BRASHER, OF ALABAMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 12, 2020:

THE JUDICIARY

JOHN FITZGERALD KNESS, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

PHILIP M. HALPERN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

JOSHUA M. KINDRED, OF ALASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ALASKA.

MATTHEW THOMAS SCHELP, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on February 12, 2020 withdrawing from further Senate consideration the following nominations:

JESSIE K. LIU, OF VIRGINIA, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES, VICE SIGAL MANDELKER, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 6, 2020.

J. DAVID PATTERSON, OF TENNESSEE, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE LAURA JUNOR, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2020.