

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 68, a joint resolution that purports to direct the President to terminate the use of United States Armed Forces in hostilities against Iran. This indefinite prohibition is unnecessary and dangerous. It would weaken the President's authority in violation of Article II of the Constitution, and endanger the lives of American citizens and brave service members.

This joint resolution is unnecessary because it rests upon a faulty premise. Due to my decisive actions and effective policies, the United States is not engaged in the use of force against Iran. As Commander in Chief, I will always defend our Nation against threats to our security.

In response to an escalating series of attacks by Iran and Iranian-backed militias on United States forces and interests in the Middle East, on January 2, 2020, United States Armed Forces eliminated Qassem Soleimani, the head of Iran's Islamic Revolutionary Guard Corps-Qods Force as he was traveling in Iraq. The purposes of this strike were to protect United States personnel, deter Iran from conducting or supporting further attacks against United States forces and interests, degrade the ability of Iran and Qods Force-backed militias to conduct attacks, and end Iran's strategic escalation of attacks against and threats to United States interests.

On January 7, 2020, Iran launched 16 ballistic missiles against United States and coalition forces in Iraq. These attacks resulted in no fatalities. The next day, in an address to the Nation, I noted that "Iran appears to be standing down" and emphasized that "the United States is ready to embrace peace with all who seek it."

One day later, this resolution was introduced. Its apparent aim was to prevent an escalation in hostilities between the United States and Iran. Yet no such escalation has occurred over the past 4 months, contrary to the often dire and confident predictions of many.

S.J. Res. 68 is also unnecessary because it incorrectly implies that the military airstrike against Qassem Soleimani in Iraq was conducted without statutory authority. The resolution states that "the 2001 Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) against the perpetrators of the 9/11 attack and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 notes) do not serve as a specific statutory authorization for use of force against Iran." The strike against Soleimani, however, was fully authorized under both the Authorization for Use of Military Force Against Iraq Resolution of 2002 ("2002 AUMF") and the President's constitutional authorities as Commander in Chief and Chief Executive.

The United States has long relied upon the 2002 AUMF to authorize the use of force for the purpose of establishing a stable, democratic Iraq and for addressing terrorist threats emanating from Iraq. Such uses of force need not address only threats from the Iraqi Government apparatus, but may also address threats to the United States posed by militias, terrorist groups, or other armed groups in Iraq. This has been a consistent application of the statute across Administrations, including the last Administration, which relied upon it to conduct operations in response to attacks and threats by Iran-backed militias in Iraq. Moreover, under Article II, the President is empowered to direct the use of military force to protect the Nation from an attack or threat of imminent attack and to protect important national interests.

In addition, S.J. Res. 68 is dangerous because it could hinder the President's ability to protect United States forces, allies, and partners, including Israel, from the continued threat posed by Iran and Iranian-backed militias. The resolution states that it should not "be construed to prevent the United States from defending itself from imminent attack." But this overlooks the President's need to respond to threats beyond imminent attacks on the United States and its forces.

Protecting the national security of the United States involves taking actions to de-escalate threats around the world, including threats posed by Iran and Iranian-backed militias. Iran and Iranian-backed militias have a long history of attacking United States and coalition forces. As demonstrated by the recent indirect fire attacks on January 26, 2020, on the U.S. Embassy in Baghdad and on March 11 and 14, 2020, on Camp Taji, Iraq, Iran and Iranian-backed militias continue to present a threat. This resolution would impede the President's ability to counter adversarial forces by anticipating their next moves and taking swift actions to address them decisively.

For all of these reasons, I cannot support this joint resolution. My administration has taken strong actions, within statutory authority, to help keep our Nation safe, and I will not approve this resolution, which would undermine my ability to protect American citizens, service members, and interests. Therefore, it is my duty to return S.J. Res. 68 to the Senate without my approval.

DONALD J. TRUMP.
THE WHITE HOUSE, May 6, 2020.

Mr. McCONNELL. I ask unanimous consent that at 1:30 tomorrow, the Senate vote on passage of S.J. Res. 68, notwithstanding the objections of the President to the contrary.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

APPOINTMENT

THE PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, Public Law 107-228, and Public Law 112-75, reappoints the following individual to the United States Commission on International Religious Freedom: Anthony (Tony) R. Perkins of Louisiana (re-appointment).

ESTABLISHING THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND VICE PRESIDENT-ELECT OF THE UNITED STATES ON JANUARY 20, 2021

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 38, submitted earlier today.

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

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 38) to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2021.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 38) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL CEREBRAL PALSY AWARENESS DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 562, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 562) designating March 25, 2020, as "National Cerebral Palsy Awareness Day".

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 562) was agreed to.