

to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY (for himself, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. KIRK, Mr. CARDIN, Mr. RUBIO, Mr. ROBERTS, Mr. Kaine, Mrs. BOXER, and Mr. MENENDEZ):

S. Res. 333. A resolution strongly recommending that the United States renegotiate the return of the Iraqi Jewish Archive to Iraq; to the Committee on Foreign Relations.

By Mr. VITTER (for himself and Mr. JOHANNIS):

S. Res. 334. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself, Mr. ISAKSON, Mrs. GILLIBRAND, Mr. SCHUMER, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. CARPER, Ms. BALDWIN, Mr. BROWN, Mr. WYDEN, Mr. SCOTT, Ms. WARREN, Ms. KLOBUCHAR, Mr. DURBIN, Mr. COCHRAN, and Mr. RUBIO):

S. Res. 335. A resolution designating January 2014 as "National Mentoring Month"; considered and agreed to.

By Mr. BAUCUS (for himself, Mrs. BOXER, Mr. DURBIN, Mr. ISAKSON, Mrs. MURRAY, Mr. REID, and Mr. TESTER):

S. Res. 336. A resolution designating the first week of April 2014 as "National Asbestos Awareness Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 178

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 178, a bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

S. 214

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 214, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 226

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 534

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 709

At the request of Ms. STABENOW, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 919

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 919, a bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1208

At the request of Mr. TESTER, the name of the Senator from Georgia (Mr.

CHAMBLISS) was added as a cosponsor of S. 1208, a bill to require meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1236

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1236, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 1417

At the request of Mrs. HAGAN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1431

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1726

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1726, a bill to prevent a taxpayer bailout of health insurance issuers.

S. 1798

At the request of Mr. WARNER, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1862

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1902

At the request of Mr. BARRASSO, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1902, a bill to require notification of individuals of breaches of personally identifiable information through Exchanges under the Patient Protection and Affordable Care Act.

S. 1909

At the request of Mr. SCOTT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1909, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 1911

At the request of Mr. SCOTT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1911, a bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, and for other purposes.

S. 1913

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1913, a bill to make permanent the Payments in Lieu of Taxes program.

S. 1921

At the request of Mr. BLUNT, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1921, a bill to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

S. 1926

At the request of Mr. MENENDEZ, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Louisiana (Mr. VITTER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1926, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. CON. RES. 13

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities.

S. CON. RES. 26

At the request of Mr. BLUMENTHAL, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Con. Res. 26, a concurrent resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. MCCAIN, and Mr. KING):

S. 1939. A bill to repeal the War Powers Resolution and to provide for proper war powers consultation, and for

other purposes; to the Committee on Foreign Relations.

Mr. MCCAIN. Mr. President, I am pleased today to join my colleague, the junior Senator from Virginia, as we introduce the War Powers Consultation Act of 2014.

This legislation is the final product of the National War Powers Commission, which was a bipartisan effort coled by former Secretary of State Jim Baker and former Secretary of State Warren Christopher. The commission was set up by the Miller Center at the University of Virginia to devise a modern and workable war powers consultation mechanism for the executive and legislative branches. It included some of our Nation's most distinguished and respected thinkers and practitioners of national security policy and law. In 2008, after more than a year of hard work, the commission released the final product—an actual legislative proposal to repeal and replace the War Powers Resolution of 1973, which no American President has ever accepted as constitutional.

As does my colleague, I view our introduction of this legislation today as the start of an important congressional and national debate, not the final word in that debate. We wish to pick up where the National War Powers Commission left off 6 years ago, and we do so fully understanding and hopeful that this legislation should be considered and debated and amended and improved through regular order.

My colleague from Virginia has done a great job on this legislation, and I am proud to join him. I wish to expand a bit on why updating the War Powers Resolution is such a worthwhile endeavor for the Senate to consider right now.

The Constitution gives the power to declare war to the Congress, but Congress has not formally declared war since June of 1942 even though our Nation has been involved in dozens of military actions of one scale or another since that time. There is a reason for this. The nature of war is changing. It is increasingly unlikely that the combat operations our Nation will be involved in will resemble those of World War II, where the standing armies and navies of nation states squared off against those of rival nation states on clearly defined fields of battle. Rather, the conflicts in which increasingly we find ourselves and for which we must prepare will be murkier, harder to reconcile with the traditional notions of warfare; they may be more limited in their objectives, their scope, and their duration; and they likely will not conclude with a formal surrender ceremony on the deck of a battleship.

The challenge for all of us serving in Congress is this: How do we reconcile the changing nature of war with Congress's proper role in the declaration of war? It is not exactly a new question, but it is a profound one, for unless we in Congress are prepared to

cede our constitutional authority over matters of war to the executive, we need a more workable arrangement for consultation and decisionmaking between the executive and legislative branches.

We have seen several manifestations of this challenge in recent years. In 2011 President Obama committed U.S. military forces to combat operations in Libya to protect civilian populations from imminent slaughter by a brutal, anti-American tyrant. I, for one, believe he was right to do so. But 6 months later, when our armed services were still involved in kinetic actions in Libya—not just supporting our NATO allies but conducting air-to-ground operations and targeted strikes from armed, unmanned aerial vehicles—the administration claimed, as other administrations would, that it had no obligations to Congress under the War Powers Resolution because our Armed Forces were not involved in combat operations. That struck many Members of Congress, including me, as fundamentally at odds with reality, and unfortunately it pushed more Members of Congress into opposition against the mission itself.

More recently, we saw the opposite problem manifested with regard to Syria. Perhaps due to the backlash in Congress that the administration's handling of the Libya conflict engendered, President Obama decided to seek congressional authorization for limited airstrikes against the Assad regime after it slaughtered more than 1,400 of its own citizens with chemical weapons last August. An operation that likely would have lasted a few days and thus been fully consistent with the President's authority under the existing War Powers Resolution had he decided to act decisively and take limited military action instead devolved into a stinging legislative repudiation of executive action. The tragic result was that the Assad regime was spared any meaningful consequences for its use of a weapon of mass destruction against innocent men, women, and children, and, as with Libya, the forces that want to turn America away from the world were not checked but empowered.

Some of us may see the problem in these two instances as a failure of Presidential leadership, and I would agree, but I also believe the examples of Libya and Syria represent the broader problem we as a nation face: What is the proper war power authority of the executive and legislative branches when it comes to limited conflicts, which are increasingly the kinds of conflicts with which we are faced?

It is essential for the Congress and the President to work together to define a new war powers consultative agreement that reflects the nature of conflict in the 21st century and is in line with our Constitution. Our Nation does not have 535 commanders in chief. We have one—the President—and that role as established by our Constitution