

military operations against ISIS without specific authorization from Congress. I have been amongst those who have been calling on this body to debate authorization of military force. So in that sense I am pleased the introduction of this resolution may allow us to have a debate on the Senate floor about the right way to authorize war against our sworn enemy, ISIS, a terrorist organization that deserves to be degraded, defeated, and wiped off the map of this Earth.

While the ink is still wet on this resolution—so I will not endeavor to go into any detailed analysis of it—it is safe to say that this resolution is the wrong way to authorize war against ISIS. The language of this resolution is dangerous and it is unprecedented.

The American people want Congress to authorize war against ISIS, but they also want us to make sure we don't send hundreds of thousands of U.S. soldiers back into the Middle East to fight a war that has to be won first and foremost with regional partners, and they certainly don't want Congress to hand over the power to the President to send our troops into any country, anywhere in the world, for almost any reason.

That is what this resolution would do. It doesn't give the power to the President to deploy U.S. troops in Iraq and Syria. It gives the power to the President—without consulting Congress—to deploy U.S. forces in any one of the 60-plus countries where ISIS has a single sympathizer. Even worse, the language doesn't even require ISIS to be present in a country for the President to invade. All that is necessary for the President to be able to argue—with a straight face—is that the threat of ISIS was present.

As we have seen in the United States, the threat of ISIS is present in virtually every corner in the world. Thus, this resolution would give the President total absolute carte blanche to send our young soldiers to any corner of the world without consulting Congress.

Now, we wouldn't have to worry about a President abusing this authority granted to him if an example of this abuse wasn't in our immediate rear-view mirror. This Congress gave President Bush sweeping authority in two resolutions to fight terrorism in the wake of September 11, and he manipulated and abused that authority to send millions of American troops into Iraq to fight a war under concocted, false pretenses. He got an open-ended authorization from Congress, and he ran with it. Now, what did we get for this colossal misrepresentation? Over 4,000 Americans dead, scores more than that crippled, and a region in chaos, in large part because of our disastrous invasion and occupation.

On the campaign trail today, several of the candidates for President talked with such irresponsible bravado about throwing around America's military might. The likely Republican nominee, as we sit here today, shows a blissful

ignorance about U.S. military law and basic foreign policy that is truly frightening.

So given recent history and given the current rhetoric on the Presidential campaign trail today, why would we give the President such open-ended, sweeping authority ever again? And why would we even contemplate a resolution like this one that makes the 9/11 and Iraq war resolutions seem like exercises in thoughtful restraint? Why would we make the mistake of the Iraq war resolution again, especially when there is an alternative?

I know that we will likely have time to debate the question of how to properly authorize war against ISIS later. But in December of 2014, the Foreign Relations Committee did vote out an AUMF that gave the President all the power he needed to fight ISIS, while making sure that he had to come back to Congress if he wanted to dramatically expand the current conflict to other countries or to put hundreds of thousands of American troops into a new war in the Middle East. It is the only AUMF that has received a favorable vote by the Senate, and it is a template for how we can authorize a war that isn't totally and completely open-ended.

Several have argued for us to take up a debate on the AUMF because we believe that over the last 15 years, over the course of the War on Terror, Congress has basically abdicated its responsibility to be the voice of the people on the conduct of foreign policy. Many of us think that a smart AUMF would get Congress back in the game when it comes to our constitutional responsibility to decide when and where our brave troops are sent into battle. But this resolution, as currently written, would do exactly the opposite. It would permanently hand over war-making power to the President, and Congress would never get it back. It would allow this President and the next President to send our troops almost anywhere in the world for virtually any justifiable reason, with no ability for the people's branch of the Federal Government—this Congress—to step in and to have our say.

I do look forward to this debate if it does come to the floor. I think it is an immensely important debate. Frankly, I will be glad to have it. The American public wants us to declare war on ISIS, but they want us to do it in a way that doesn't repeat the deadly, costly mistakes of the past.

I yield the floor.

The PRESIDING OFFICER (Mr. PORTMAN). The majority whip.

MENTAL HEALTH AND SAFE COMMUNITIES ACT

Mr. CORNYN. Mr. President, I come to the floor today to talk about the 800-pound gorilla in the room that people don't want to talk about, and that is our broken mental health treatment system in this country.

Years ago, we made the mistake of institutionalizing people with mental illness, and then we made the mistake of deinstitutionalizing people with mental illness, with nowhere to go and no access to treatment. But I have introduced legislation that I hope will help begin this conversation anew, one that we will have a hearing on next week in the Senate Judiciary Committee.

The legislation is called, simply, the Mental Health and Safe Communities Act. It has two overarching goals. First, it will help those suffering from mental illness and their families to find a way forward and to get the support that they need. Second, it will equip law enforcement, teachers, judges, and people with the knowledge and skill sets to spot the early signs of mental illness and give them the means by which to respond effectively.

Sadly, we know that mental illness is a common thread through many senseless acts of violence that we have witnessed across the country. But this problem is more than about just that. I know some of our colleagues say they don't want to talk about how to improve access to mental health treatment if it is going to involve any discussion of guns, but I don't think we can talk about this topic without talking about these incidents of mass violence. But I want to make sure I am very clear and to say it is much more than just that.

It is time for Congress to respond with proven solutions that actually work. The President, as is his habit, has offered controversial proposals that actually violate the Constitution and threaten our rights without solving the problem. To me that is one of the reasons why people get so frustrated with Washington, when people stand up and say that here is something we ought to do, when it really is symbolic in nature and it doesn't actually solve the problem they claim to be addressing. And that is true of the President's Executive actions on guns.

Indeed, the AP's headline, when the President made this announcement, read: "Obama measures wouldn't have kept guns from mass shooters." In other words, the Associated Press makes the point that none of this would have solved the actual problem. But the legislation I have introduced has a good chance to begin the effort to do that.

So since the President won't act responsibly and work with Congress, Congress must act by itself—first, to build consensus and offer solutions, and not just engage in symbolic gestures and more political talking points. It is time we focus our efforts on, first and foremost, providing support to the mentally ill and their families to make sure, first of all, that they are less likely to be a danger to themselves, and, secondly, that they won't be a danger to the communities in which they live.

Next Tuesday, we will have that hearing I mentioned at the outset in

the Senate Judiciary Committee, and we will look at some of the successful models that have proven to be successful in places such as Bexar County, San Antonio, TX.

Like many of our colleagues, I have had the occasion to visit the sheriffs, police chiefs, and the jails in our major metropolitan areas. Virtually all of them have told me that our jails have become warehouses for people with mental illness. When they get out, unless their underlying symptoms are treated and unless they are on an enforceable treatment plan, compliant with their medication, and following the doctor's orders, they are going to end up right back where they were. In the absence of effective treatment of their mental illness, we know many people with mental illness will self-medicate with drugs or alcohol, compounding their problems and becoming what a young man in Houston called a "frequent flyer," when referring to himself. In other words, he would keep coming back again and again and again and again.

But there are some successful models we can look at, and the results are really impressive. Through the reform measures instituted in places such as Bexar County, overcrowded jails have been reduced in size, taxpayer dollars have been saved, and many lives have been changed for the better. The secret is these jurisdictions have realized that we have to focus on treating the mentally ill, not just warehousing them in our prisons and jails. Criminologists and mental health experts will tell you that locking up a mentally ill person without treatment will make them even more dangerous to themselves and increase the risk to the community.

Experts will also agree that if we identify those with mental illness and divert them to treatment, many of them can be restored to mental health, saving lives, increasing public safety, and reducing costs to taxpayers.

There is a great book called "Crazy," written by a gentleman by the name of Pete Earley. Pete is a journalist. Unfortunately, he and his wife had a son that exhibited mental illness symptoms. It was as a result of their dealing with his illness and trying to help him get back onto a productive path in life that they encountered the broken mental health system that I have described a little bit about. The good news is Pete's son is doing well. But it is because he is taking his medications, and he recognizes that when he goes off of his medications he gets into trouble. Pete will be testifying at our hearing next week, and I think he will bring home in a very real way how mental illness affects so many lives around the country, and what we can do to actually equip those families with additional tools to help them help their loved ones.

The truth is, this all takes cooperation. Indeed, in the criminal justice context, it takes collaboration between Federal, State, and local law enforce-

ment. It also takes judges, doctors, and families. But the good news is there are some models for success. We need to make this a priority because so many of the people we encounter today on our streets—the homeless—are people who are suffering from mental illness of some form or another that could be helped. So many people who are jailed for minor criminal offenses are people with mental illness that could be helped. I think it behooves all of us to do what we can to learn from what actually has proven to work in some of our cities around the country, and to try to implement this on a national level.

In addition to Mr. Earley, we are going to be hearing from Sheriff Susan Pamerleau, who has been a champion of mental health reform in the San Antonio area.

But even as the committee begins to consider long overdue mental health legislation, I have to confess that I have been disappointed at some of the responses by some of my colleagues on the other side of the aisle, because they say: We don't want to talk about the whole problem; we just want to talk about the part of the problem that we want to talk about. So if this involves anything related to Second Amendment rights or guns, then they don't want to have that conversation. But you can't circumscribe the debate or the discussion by carving that out. That has to be a part of it. It will be a part of it, whether we like it or not.

Some of these colleagues on the other side of the aisle have cited a provision of my bill that would actually strengthen and clarify the definitions regarding the uploading of mental health records to the National Instant Criminal Background Check System. Why would anybody disagree with making sure that adjudication of mental illness be uploaded to the National Instant Criminal Background Check System? That is what happened with the Virginia Tech shooter, for example. He had been adjudicated mentally ill by Virginia authorities, but because the State didn't provide that information to the National Instant Criminal Background Check System operated by the FBI, he was able to buy a firearm without being disqualified, which he should have been, based on that adjudication.

My bill also reauthorizes and strengthens the National Instant Criminal Background Check System. This is something our colleagues across the aisle—and, indeed, all of us—have said we support—a background check system. It would work to clarify the scope of the mental health records that are required to be uploaded so that there is no longer mass confusion among State and local law enforcement as to what is required by Federal law. And, because we can't mandate that States do this, we need to provide incentives for them to encourage them to share these records, because these are a national resource. To me, this

just makes common sense. Why wouldn't we want States to comply with current laws to keep the mental health background check records updated? I don't understand the controversy about that.

I would like to make clear that if there are Members on the other side of the aisle willing to work with me on this legislation and willing to work with the chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, and the ranking member, Senator MURRAY, and with TIM MURPHY in the House—who has an important piece of legislation that is much more comprehensive in nature but certainly deals with this issue as well—and along with Dr. BILL CASSIDY here in the Senate, there are many of us on a bicameral basis and on a bipartisan basis who have said we want to do something about this crisis in our country, and that is the mental health crisis.

What we ought to do is roll up our sleeves, sit down at the table, and begin to work through this. I know at least five Democrats are cosponsoring legislation identical to mine in the House of Representatives, so it is up to us to start working to find consensus in the Senate.

This is one of those issues where Republicans have said they would like to see something get done, where the Democrats say they would like to get something done, and presumably the White House would too. How do you explain our not doing what we can do? Even if we can't do everything some of us would like to do, why don't we do what we can do?

I hope we can work together to deal with these reforms and to help make our communities safer. It is up to us to put our heads down and work diligently for the American people and come up with solutions for struggling families—families struggling with a loved one with mental illness and who don't know where to turn. I look forward to hearing more about some of the proposed solutions next week during this hearing of the Senate Judiciary Committee and working with all of our colleagues to try to come up with the best answers we can.

SIXTH ANNIVERSARY OF SUPREME COURT'S CITIZENS UNITED DECISION

Mr. DURBIN. Mr. President, today marks the 6-year anniversary of the Supreme Court's decision in *Citizens United v. Federal Election Commission*. In this far-reaching opinion, on a divided 5-4 vote, the Court struck down years of precedent and held that the First Amendment permitted corporations to spend freely from their treasuries to influence elections.

As a result of *Citizens United* and the series of decisions that followed in its wake, special interests and wealthy, well-connected campaign donors have so far poured more than \$2 billion into