

it has stood up, that it has equipped, and that it has trained to attack us in retaliation for something America has done, but it can deny it. It can say: That wasn't our army. That wasn't our air force. That was this other group that did it on its own.

This is a capability we know it has built not just in the Middle East, by the way, but all over the world. We have been aware of it for a long time. It is not a secret to anyone, and it is a capability that it has increasingly perfected.

What has happened here very recently is there has been a persistent and clear stream of information—a clear indication—that has arrived to American policymakers that the IRGC, the Quds Force, and their proxies in the region pose a serious and potentially imminent threat to U.S. forces and U.S. civilians in Iraq and in the broader Middle East.

The President of the United States and the administration are confronted with this information. What is the wholly appropriate thing for them to do? The appropriate thing for them to do is to reposition military assets to the region, No. 1, to protect the Americans who are there in case they come under attack and, No. 2, to be in a position to retaliate.

The reason this is important is you hope to deter this sort of attack. What you are hoping to do is to show them that we have military capabilities in the region so that if we are attacked by their proxies at the direction of the Quds Force, we are going to respond to that forcefully. What you hope that will do, along with public messaging, is get into their heads and make them decide “We are not going to do this.” That is what has happened here, and it is wholly appropriate.

For a moment, I want you to imagine. If, in fact, an attack such as this occurred and if, God forbid, hundreds of Americans were killed, the first question everybody would have is, Why didn't we have military assets in the region to protect them? Why couldn't we get them out? That is the first question everyone around here is going to ask.

What the administration has done to pre-position military assets in the region for this potential contingency is entirely appropriate. Also appropriate is the notion that we are not going to start a war, but if we are attacked by Iran's proxies, we are going to respond against those proxies, and we are going to hold Iran responsible. It is going to pay a price for this as well. Who could disagree with the notion that if we are attacked, we have a right to defend ourselves and respond? That is the only thing that is happening here.

I am pleased that in the last day, more Members of the Senate have been made privy to this stream of information so that people can begin to see that the actions the administration has taken up to this point are not just wholly justified but are appropriate.

Yet I am concerned about some of the reactions I have seen with regard to this because I think they bode ill both for this case and for the future.

One of the first reactions I have seen is that this is not true, that they are literally making it up, that there is no such intelligence, and that it is being exaggerated. There are even some leakers—I don't know who these people are—who are lying to media outlets about the contents of this intelligence because they have axes to grind against somebody else in the administration, and they want to create embarrassment.

Look, I get this bureaucratic infighting, but I don't understand it when it comes to issues of national security. Even if this information is 50 percent accurate, we have an obligation to err on the side of caution, especially when American lives are on the line.

I encourage all Senators to read this information or access it through their offices and, obviously, when we have a briefing with the appropriate officials, to attend that as well, and I believe you will agree with me.

The second thing I am hearing is “Oh, this is just a path to war”—equating this to the Iraq war of over a decade ago. This is nothing like that. That was an offensive operation. That was an invasion of another country. This is not posturing for a military attack; this is military posturing for the purposes of defensive operations. As I have said repeatedly, it is very straightforward: If Iran attacks, there will be a war. If Iran does not attack, there will not be a war.

I think the most disappointing is some insinuation, including by Members of this body—publicly and privately—that somehow, we are going to provoke an attack; that elements of the American Government are going to go out and do something to get Iran to hit us so that we will have an excuse to go to war. I don't know how you prove a negative, but I find that to be wholly unsubstantiated and dangerous.

Let me tell you why this is problematic. What encourages Iran to believe it can get away with this is that it believes if one of these groups—one of the Shia militias in Iraq—attacks us, it is going to be able to say that it is “not us,” that it is some rogue group that did it. “Don't hold us responsible for it.” The more Iran thinks it can get away with that, the more likely it is to do it. So it is important that this be exposed for what it is.

The second reason Iran thinks it can get away with it is I think it believes it can exploit our political divisions. I think Iran reads these newspapers and watches the news and realizes that some percentage of Americans and, certainly, a significant percentage of Americans in politics is going to, in some way, take Iran's side on this. People are going to say that we provoked it—that this is our fault, that we did something that made Iran mad, that we created the tensions that led

to this—or that the intelligence was flawed or that it wasn't Iran but one of these other groups.

By the way, the more of that Iran reads, the likelier it is to do this. That doesn't mean I don't believe we can have a legitimate debate. I support designating the IRGC as a terrorist organization. We can have a legitimate debate about whether that should have been done but not right now. Right now, Americans potentially stand in harm's way, and they need the United States of America to be supporting efforts to defend and to protect them.

Here is what I know none of us can disagree with, I hope: No. 1, that if there is any serious indication that Americans anywhere are threatened, we must position ourselves to protect them, defend them, extract them, and retaliate if they are attacked. The second thing we should all be able to agree on is that if Americans come under attack, even if it is from a proxy force that is directed by a foreign agent like the IRGC, not only must we defend against that attack, but we must punish it with swift retaliation. That should unite us on a matter of incredible importance.

I hope all of the misinformation will stop because this matter is too important with which to play political games.

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

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

HEALTHCARE

Mr. MURPHY. Mr. President, across America, there are 130 million individuals who have a preexisting condition. This means individuals have a diagnosis, an illness, a medical condition that without the Affordable Care Act would likely mean they were priced out of insurance because the costs associated with their illness are so high that no insurer would provide them coverage or the cost of insurance is much higher than those who don't have that illness or that condition.

These preexisting conditions don't discriminate. They affect Republicans and Democrats, liberals and conservatives, people who watch FOX News, people who watch MSNBC. This isn't a partisan issue; preexisting conditions affect everybody.

In my State, give or take, 522,000 people have preexisting conditions, and I talk to them every time I go back to Connecticut. I remember 2 years ago when I was walking across the State—something I do every year. I take about a week in the summer, and I walk from one end of the State to the other end—there were families who would find out on social media where I was going to be walking that day and pre-position

themselves hours ahead of time by the side of the road so they could tell me about their diagnosis. One young woman was sobbing on the side of the road in Meriden, CT, as she explained to me her lupus diagnosis and how, without the Affordable Care Act and the protections it provides her, she would not have insurance; she would not be able to afford the medications that keep her well and alive; and her life would be ruined. Those individuals are freaking out today because they have watched this President—and frankly this Republican Congress—use every power at their disposal, every tool in their toolkit to try to take away these protections for people who are sick, for people who, through no fault of their own, just have higher medical bills than the rest of us. They don't feel like they should be discriminated against or forsaken by the health insurance marketplace because of their unfortunate diagnosis.

The latest assault on people with pre-existing conditions comes through an effort by the administration to allow States to sell insurance plans that don't cover basic medical needs, plans that would allow for a skimpy set of benefits to be sold out on the insurance marketplaces. Now, admittedly, that might be good news for pretty healthy people who don't want to pay for a full insurance product because they think they don't need it.

The first problem with that is you are only healthy until you are not healthy. The second bigger problem is, when all the healthy people go to these skimpy plans—sometimes called junk plans—and all the people with pre-existing conditions get left behind on the regulated plans, where insurance is real, where it covers everything you need, costs go down for the healthy people, and they go through the roof for the sick people, which is the entire problem we were trying to solve in 2009 and 2010. It is, in fact, the problem the Republicans say repeatedly out on the campaign trail and back in their districts and States that they want to solve too. I don't know that I have met a Republican Senator who doesn't say that they don't think people with pre-existing conditions should be discriminated against. Yet this rule the administration is proposing is going to allow States to do just that. It will allow for a "have and have not" insurance system, in which people with pre-existing conditions are charged more and people without pre-existing conditions are charged less.

My intention was to come down to the floor today and offer a unanimous consent request to get us on the road to solving this latest assault on people with pre-existing conditions. Let me explain to you what my request was going to be. I understand there are Republican objections, and there is not the ability to object today when I make this request, so I will reserve the right to make that request until early next week.

Here is the substance of the request I was planning to make today. Last week, the House of Representatives passed a piece of legislation called the Protecting Americans with Preexisting Conditions Act, and what this legislation would have done—and will do, if passed and signed by the President—is prevent HHS from taking any action to implement the administration's waivers for States to set up these junk plans, these skimpy plans.

It is in keeping with the intent of the Affordable Care Act, which is to allow flexibility for States—there is an ability under the Affordable Care Act for States to innovate and to be flexible, but the Affordable Care Act says you can't do that in a way that hurts consumers. You can't do that in a way that provides less coverage to consumers.

The rule the Trump administration is proposing, in many of our minds, is a violation of the Affordable Care Act in and of itself, which is still the law of the land, but this piece of legislation would clarify that you cannot allow for the development and widespread sale of these junk insurance plans without dramatically harming the healthcare of the 130 million Americans who have preexisting conditions.

So my intent was to ask for a unanimous consent request to bring this bill for a vote in the Senate. I will do that next week.

At some point, we have to act like we actually are the U.S. Senate. It is not enough to just say over and over again that you support people with pre-existing conditions and then do nothing as the administration launches a daily, nonstop, unending, unceasing, relentless effort to destroy healthcare for people with preexisting conditions.

This is the latest assault on people with preexisting conditions, but it stands in a very long, ongoing line of actions by this administration, backed up by Republicans in the Congress, to try to reduce coverage and increase costs for people with preexisting conditions.

It started, of course, with the whole repeal effort, which would not have replaced the Affordable Care Act with anything meaningful. The bill that passed the House of Representatives would have stripped healthcare away from 30 million Americans. The tax bill that included a portion of healthcare repeal that was passed and signed by the President eliminates healthcare for 13 million Americans, and many of those have preexisting conditions.

As we speak today, the administration is readying to go to court with a whole bunch of Republican attorneys general to ask the Federal judicial system to overturn protections for people with preexisting conditions. So having failed to get the entirety of the bill repealed through the Congress, the administration now is going to court to try to get the protections for people with preexisting conditions repealed.

Once again, this Congress, this Senate is silent on that case. We have of-

fered another piece of legislation to stop that lawsuit from going forward. We don't have any takers on the Republican side. This assault is real. I didn't make it up. It is not imagined. If this court case that the Trump administration is pushing succeeds, overnight the entirety of the Affordable Care Act will be invalidated, and there is no plan to replace it.

If these junk plans go into effect—listen, maybe I will be wrong. I hope I am wrong. Maybe there will not be a flight of people to these skimpy plans, but much of the analyses I have seen suggests that will happen. If it does, there is just no way, other than for the cost to go up for everybody who is left behind on the regulated plans. I don't know about you, but when I talk to my folks living paycheck to paycheck in Connecticut, they don't have a lot of room in their budget for increased premiums for healthcare. They are maxed out as it is.

So I will stand down for now, but I will be back early next week to offer this unanimous consent request. I hope, if my colleagues turn it down, if they don't want to bring up a piece of legislation that would stop this latest regulatory assault on the Affordable Care Act, that they will come to the table with other ideas as to how to protect people with preexisting conditions from this campaign of sabotage by the administration; that they will finally recognize that this assault on the Affordable Care Act in the court system is a really awful precedent to set.

It is going to come back and bite all of us as legislators if it is successful. Without any real hope of a replacement for the Affordable Care Act, it leads to a humanitarian disaster in which 20 million to 30 million people lose insurance because of it.

This is as important as it gets. There is very little that matters to people more than their health and their healthcare, and I hope that possibly next week we can come together as a body and finally do something about the administration's attempt to take away these protections for sick people and people with complicated diagnoses all across the country.

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.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

JOINT REFERRAL OF NOMINATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the nomination of Robert Wallace, of Wyoming, to be Assistant Secretary of Fish and Wildlife, sent to the Senate by the