and sell these weapons to Saudi Arabia? The administration cites in its documents, in its notice, Iranian malign activity in the region. The administration claims that the ''rapidly-evolving security situation in the region requires an accelerated delivery of certain capabilities to U.S. partners in the region.''

We all know that Iran is a malign actor in the region. This is nothing new. It has kept the Assad regime in Syria alive. It supports the Hezbollah in Lebanon, the Houthi rebels in Yemen, and a constellation of Shia militia groups in Iraq—all of which have contributed to instability in the region for a very long time.

The administration has not explained why all of a sudden this ongoing malign activity justifies an emergency declaration to circumvent this body in the House of Representatives, nor has it shown how the delivery of these weapons is going to provide some kind of an immediate benefit to either the United States or our allies.

What we really have is, this administration has, under the direction of National Security Advisor John Bolton, in a calculated effort, dramatically increased tensions with Iran to a point where we could easily have a miscalculation that leads to war.

This administration has ripped up the nuclear agreement, choked off Iran's oil exports, and, against the advice of America's military leadership, designated the Islamic Revolutionary Guard a terrorist organization while accelerating the movement of American ships and bombers into the Persian Gulf.

Maybe most troubling is that even when given multiple opportunities, Secretary of State Pompeo, has refused to acknowledge that the 2001 authorization to use military force, AUMF, would not justify the administration taking military action against Iran. The administration's failure to make that very clear shows the need and urgency for us to act in these areas. In fact, what we know from our intelligence communities, cited in public reports, there is zero evidence that Iran and al-Qaida have carried out any joint operations against the United States. In fact, to the contrary, ISIS, which we know is an al-Qaida descendant in Syria and Iraq, took credit for a 2017 attack on Iran's Parliament building and tomb of the Islamic Republic's founder, the Ayatollah Khomeini, which according to Iran's state media killed at least 12 people.

Anyone who knows anything about the history in this region knows that while Iran is a malign actor, they have been an enemy of al-Qaida and an enemy of ISIS—Iran, of course, being a majority Shia country and ISIS and al-Qaida being extreme elements of a Sunni ideology.

As we sit here and watch the President invoking these emergency powers to undermine the separation of powers, we are not doing our job so we need to begin to take action. Yet what the President is learning from our inaction is the ability to continue down this road of claiming emergency powers to take further measures.

As I said just last week, we also saw the President invoke emergency powers to put in place a mechanism to dramatically increase tariffs on Mexico over a period of time. That, of course, would be incredibly costly to American consumers, costly to American businesses, but it is also incredibly costly to our system of government and separation of powers, where article I clearly gives this Congress power in the area of setting trade policy. Yet where are we? We are AWOL, totally AWOL when it comes to standing up for the Constitution. We are allowing this President to, time after time, claim emergency powers to accomplish certain goals. Some may justify it by saying: OK. I agree with the outcome in that particular use of emergency powers.

This pattern of conduct is going to set a very dangerous precedent. While some of my colleagues may like some of these outcomes today, you have another President in the White House who starts claiming emergency powers left and right, and all of a sudden, I can assure you, my colleagues will take a different view. This is the moment when people need to come together and stand up for the Constitution and do our jobs as a separate branch of government. We can't contract this all out to the courts to make these determinations. Of course, earlier in the year, the President claimed emergency powers to divert moneys from important national security efforts, including the effort in Afghanistan and to build the wall along the U.S.-Mexico border.

Again, I suggest, don't be lured into going along with this process simply because you like the outcome. We can disagree about whether it is smart and cost-effective to build a wall along the U.S.-Mexico border, but we should not disagree that it is an abuse of power to continue to manufacture or claim emergency authorities to override the will of Congress.

This is an important moment, especially as we consider the fact that Secretary Pompeo has not clearly indicated that the 2001 AUMF does not give this administration or any administration the power to use military action against Iran.

If we don't start standing up and doing our job, we will be undermining important constitutional principles that the Founders put in place to prevent an Executive from running wild over the legislative process. So I hope, as the Republicans and the Democrats see the President invoke these emergency powers of whether to sell arms to Saudi Arabia, to increase tariffs on Mexico, or to build a wall, we recognize that we are going down a very, very slippery slope and that we have a constitutional obligation to protect our democracy and the principles outlined in the Constitution.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Texas.

DIRECTING THE CLERK OF THE HOUSE TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 2157

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 45, which was received from the House.

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

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 45) directing the Clerk of the House to make a correction in the enrollment of H.R. 2157.

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

Mr. CORNYN. Mr. President, I further 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 (H. Con. Res. 45) was agreed to.

(The concurrent resolution is printed in the RECORD of June 3, 2019.)

EXECUTIVE CALENDAR—Continued

NOMINATIONS

Mr. CORNYN. Mr. President, this week, the Senate will consider another batch of well-qualified nominees. These are men and women who have chosen to serve the American people in a variety of ways throughout the Federal Government, and we owe it to them to get them off the Senate calendar and on the job.

Among the nominees we are considering this week is Susan Combs, who, as the Presiding Officer knows, is a fellow Texan who has been nominated to serve as the Assistant Secretary for Policy, Management and Budget at the Department of the Interior. Susan has led an impressive career in both the public and private sectors and has served our State as a member of the Texas House of Representatives, then as the first female agriculture commissioner, and, later, as the Texas comptroller of public accounts.

In each job, she gained the respect of virtually everyone she worked with. So, for those who know Susan, her nomination has come as no surprise. What is surprising, though, is how long it has taken her to reach this point and be confirmed. She was nominated in July of 2017. Within 1 month, she testified before the Committee on Energy and Natural Resources, and she received unanimous support. Suffice it to say, her nomination was not controversial. So why has it taken 2 years for her to get a vote on the Senate floor?

Unfortunately, our colleagues across the aisle have pulled every trick in the book to slow down the nominations process, not because they have objected to a particular nominee or because a nominee has been unqualified, but because it has been part of a broader effort to stymie the President and this administration and bring the work of this body to a crawl.

With each day that has passed since the President has been inaugurated, the growing backlog of nominations has allowed hundreds of important positions throughout the Federal Government to have remained vacant. That is not fair to the people who have been nominated; that is not fair to the administration; and it is particularly not fair to the American people, whom these individuals are to serve.

A couple of months ago, we passed a modest rules change that broke the logjam, at least to some extent, and allowed us to finally begin to make some much needed progress. In the, roughly, 3 months prior to the rules change, we were able to confirm only 23 nominees. In the, roughly, 2 months since, we have more than doubled that number. We have begun to fill dozens of positions, including those of Federal judges, ambassadorships, and sub-Cabinet officials at various Departments and Agencies. Two weeks ago, we confirmed the 41st circuit court judge since President Trump took office, and we are making progress on filling more judicial vacancies.

As we approach the 2-year anniversary of Susan Combs' nomination having been sent to the Senate, I am glad we can finally vote on her confirmation and continue our work to confirm well-qualified nominees.

HEALTHCARE

Mr. President, on another matter, we continue to hear cries from the left about Medicare for All—the one-size-fits-all healthcare plan they continue to embrace.

It is ironic, in having been in this Chamber during the battle over the Affordable Care Act and when President Obama famously said ''If you like your policy, you can keep it,'' that now, apparently, the Democrats have abandoned that promise. Instead, their promise is, if you like your employer-provided health insurance policy, you can't keep it.

The fact is that this plan would drain the vital program that our seniors have relied on for more than a half a century and would force all Americans to participate in a watered-down version, which, clearly, would not be financially sustainable. More than 180 million Americans would be kicked off of their private insurance plans and be forced onto a government-run plan. This strikes me as a solution in search of a problem.

Don't get me wrong. Our healthcare system isn't perfect, and there are things we need to do to make it better, but they don't want to pay higher taxes and be put on the same healthcare plan as every other American. They want to be able to choose their coverage at prices that work best for them and their families, and, yes, we need to improve our healthcare system so it focuses on patients and allows all individuals and families to choose what works best for them. Fortunately, Senate Republicans have been working hard to create legislation that would do exactly that.

Earlier this year, I cosponsored the Protect Act, which is being led by our colleague from North Carolina, Senator TILLIS. This bill would make sure that no one would be denied coverage or would be forced to pay a higher premium because of one's having a preexisting condition. With the future of ObamaCare hanging in the balance, we need to provide peace of mind for the millions of Americans who have preexisting conditions and who worry about the uncertainty of their healthcare.

This legislation would also prohibit discrimination against patients based on their health status. That includes denying coverage, limiting what treatments are covered, or increasing premiums because of one's having a preexisting condition. This is an important step we can and should take to affirm that all Americans deserve access to affordable care at affordable prices. In addition, by codifying the association health plans, we can help self-employed individuals and small business employees who don't receive employer-provided coverage.

Association health plans were initially established by the Department of Labor. They allow businesses in the same region or industry to come together and purchase insurance. These plans have proven to be a great solution for small businesses across the country that represent a host of small businesses and sole proprietors because they are afforded the opportunity of getting, essentially, the same quality of coverage provided by large employers but at the same lower prices that people pay who are in these large employer-provided plans.

Historically, the problem has been in the individual market, which is where most of these individuals would find themselves, in that the pool of risks is not sufficiently broad. Because of perverse incentives, they would actually end up paying much higher premiums than other people who would be similarly situated who would have employer-provided plans.

Association health plans address that directly by providing a larger pool of insured individuals, which would help to bring down the premiums and help to bring down the deductibles over what they are currently under the Affordable Care Act. Several chambers in Texas are using these association health plans for their members, and I would like to be able to provide more flexibility for AHPs so that more Americans may take advantage of this employer-provided insurance.

In codifying this Labor Department rule and making insurance more affordable and accessible, we must also look at healthcare costs beyond the premiums people pay for their health insurance. That is why we need to take a look at out-of-pocket costs for prescription drugs. When it comes to drugs that have just come on the market after lengthy research and development, you would expect the prices to be higher. That is the price we pay for the innovation and lifesaving new drugs. Companies patent their drugs to ensure that the money spent during the research and development phases can be recovered once the drugs hit pharmacy shelves.

These patents—a form of individual property protection—are important in order to encourage innovation. Unfortunately, on occasion, we see companies that abuse this system and try to get new patents on existing drugs in order to prolong their exclusivity and, of course, to maintain the high profits they get on a patented drug. This type of behavior is not what Congress intended. We cannot allow bad actors to game the system in order to turn higher profits and prevent more Americans from getting access to these drugs at lower prices, which is what the system is designed to do once they go off patent.

Recently, I introduced the Affordable Prescriptions for Patients Act, which encourages competition within the pharmaceutical industry by stopping these sorts of corrupt practices. The bill would define product hopping and patent thickets—two practices used by some manufacturers—as anticompetitive behavior. Certainly, this doesn't prevent manufacturers from making improvements in their products. It doesn't limit patent rights, and it doesn't hamper innovation. Yet it does stop those who knowingly abuse the patent system by allowing the Federal Trade Commission to bring antitrust suits against the bad actors.

In addition to these bills, I recently introduced a bill to protect the integrity of the Medicare part D system. This is the prescription drug system that Congress created years ago, which actually provides seniors with access to prescription drugs at a modest cost. Currently, part D's sponsors may voluntarily report fraud data to the CMS, but they are not required to report the specific number of instances of fraud, waste, and abuse they identify or the actions they take to correct these problems. This bill would implement recommendations made by the Health and Human Services Office of Inspector General to require plan sponsors to report fraud and improve oversight of this important program.

These are the types of reforms we need. We don't need Medicare for All, which will force 180 million people off of their private health insurance and bankrupt the Medicare system that we pledged to be there to provide access to healthcare for our seniors once they