

Again, the purpose of our amendment is simple: The President is threatening to launch military action against Iran without authorization, publicly flouting Congress. This amendment says that we are not going to go into an unauthorized war with Iran.

If the President and Members of this body think we need to take military action against Iran, then let's have that debate and let's vote.

The Udall amendment ensures we follow the constitutional process. To do otherwise is to be in dereliction of our constitutional duty.

Mr. ROMNEY. Will the Senator from New Mexico yield for a question?

Mr. UDALL. The Senator from New Mexico yields the floor.

Mr. ROMNEY. Mr. President, I very much appreciate the perspective and sincere thoughts and ideas coming from my good friend from New Mexico.

The Senator indicated that those who oppose this are trying to create excuses for why we should ignore the Constitution.

I would note that in my remarks this morning I noted specifically that this is not an authorization to use military force against Iran or anyone else. It is a statement of continued commitment to our national defense, and, precisely, it is saying that under the Constitution only Congress may declare war. That is something I said specifically.

But the Senator goes on to note—he says that only the Congress—specifically, his words are “ignore the Constitution, open the door to war with Iran without a vote.”

President Trump has said he was 10 minutes away from doing just that. Is the Senator saying that if the President were to do what he was contemplating, and that is to take out missile batteries with the potential of the loss of life of as many as 150, but also it could be with a prewarning, with no loss of life, but taking out missile batteries that have fired upon an American aircraft—unmanned American aircraft—if he were to have done that in response to their shooting down an aircraft in international airspace, that constitutes going to war and would have required a vote of Congress to authorize shooting down or attacking missile batteries that have fired rockets at an American airship?

I am referring to the Senator's comments precisely, and I will read the entire point.

The Senator said: “They are trying to create excuses for why we should ignore the Constitution and open the door to war with Iran without a vote.”

President Trump has said that he was 10 minutes away from doing just that. So in the Senator's view, is responding in a very limited manner, as he was contemplating, taking out missile batteries potentially—would that have constituted going to war and required the vote of Congress?

That is my question, because I believe that is not the case. I believe the President has the constitutional au-

thority and duty to respond, if necessary, in an appropriate way to return fire on the very batteries that have shot down an American aircraft.

I yield the floor.

TRIBUTE TO BLAIR BRETTSCHEIDER

Mr. DURBIN. Mr. President, I want to tell you about two young women from Chicago and a discovery they made together that has helped to transform the lives of hundreds of other young women.

Domitira Nahishakiye moved with her family from the African nation of Burundi to Chicago in 2007. Three years later, she found herself overwhelmed. At 18, she was attending high school, trying to prepare for college, and caring for her three younger siblings.

The refugee resettlement efforts worked mostly with boys and young men. It didn't offer many programs to help Domi balance the pressures of caring for her siblings and preparing for college. Getting ready for college is tough for almost everyone. Imagine how much harder it is if you have grown up in another culture and you are helping to care for three siblings.

Fortunately, Domi met another young woman named Blair Brettschneider.

Blair grew up in Detroit. After graduating from the University of Miami in Florida, she had hoped to become a journalist, but the Great Recession caused Blair to rethink her career path. She moved to Chicago to work for AmeriCorps VISTA, sometimes called the domestic Peace Corps. Blair was a “gofer” for the refugee resettlement agency.

Not content with coffee runs and other “busy work,” Blair started talking to the families her agency was helping. That is how she met Domi.

Blair started to tutor Domi and help her with her homework at the after-school center, but Domi's home responsibilities made it difficult for her to attend the sessions regularly.

Rather than give up, Blair started tutoring Domi at her home. She helped her master her studies and apply for college. She also helped Domi adapt to life in her new homeland.

Blair realized that Domi was not alone. Many immigrant girls and young women Blair spoke with shared the same needs, and many refugee agencies just weren't set up to help them.

That realization led Blair to establish a foundation in 2011 to provide other young women refugees in Chicagoland with the same types of support that Blair offered Domi. It is called GirlForward. It has since expanded its reach to help young women in Austin, TX, as well. Since 2011, GirlForward has helped nearly 300 refugee women in the Chicago area and in Austin find mentors, friends, support, and encouragement in America.

Amina Imran, a refugee from Pakistan, is one of those fortunate young

women. She used to joke that the only way she could attend college is if she robbed a bank, but after finishing the Chicago GirlForward program in 2017, she now attends North Park University in Chicago, on a scholarship.

GirlForward is routinely cited as one of the best charities in Chicago. Reader's Digest declared GirlForward the Best of America.

My visits to GirlForward in Chicago were some of the happiest moments on my schedule. Young women from every corner of the world found friendship and encouragement with their peers. The processes of assimilating language and culture were lifted as these amazing young women came together and shared their struggles and joys.

In helping young women refugees to thrive in their new home, Blair Brettschneider is following in the footsteps of another great Chicagoan. In 1889, Jane Addams founded Hull House on the Near West Side of Chicago. It was one of America's first settlement houses, where new citizens could acquire domestic and job skills and learn about American Government and customs. For her work with Hull House and other social justice causes, Jane Addams became the first American woman ever to receive the Nobel Peace Prize.

GirlForward is a new version of Hull House.

In July, Blair will be leaving GirlForward. Fortunately, she leaves the GirlForward programs in Chicagoland and in Austin in strong shape.

On behalf of the hundreds of young women whose lives GirlForward has helped enrich and transform and the hundreds of young women who will follow them, I want to thank Blair Brettschneider for her remarkable work and wish her all the best in her new efforts.

NATIONAL DEFENSE AUTHORIZATION ACT

Ms. HIRONO. Mr. President, today I wish to discuss Senate amendment No. 861, offered by our colleague from Utah.

The author of the amendment, Senator ROMNEY, and others have made clear that this language does not constitute an authorization of the use of military force, or AUMF. I agree with that assessment.

While this amendment appears to restate existing Presidential authority to defend the country in the event of an attack, it includes other language that could be interpreted to provide more authority to the President. That concerns me, which is why I voted against this amendment.

Ms. DUCKWORTH. Mr. President, amendment No. 861 fully captures the utter failure of the modern Congress to assert and defend congressional war powers that the U.S. Constitution solely vests in the legislative branch. It treats matters of life and death as mere fodder for political “gotcha”

votes and represents an approach to legislating that is ultimately as simplistic as it is dangerous.

If one asked 10 attorneys to analyze the text of amendment No. 861, one might very well receive 10 wildly different interpretations of what the undefined terms in the amendment mean, from the use of the term “attack by the government, military forces, or proxies of a foreign nation or by other hostile forces” to the phrase “used to ensure the ability of the Armed Forces of the United States to defend themselves, and United States citizens.”

As the authors plausibly argue, the intent of the amendment may very well be to simply reaffirm existing legal interpretations and norms that authorize the U.S. Armed Forces to defend itself and our citizens against attack by a foreign nation or other hostile force. As supporters argue, the amendment language avoids using the specific phrase “authorization for use of military force,” and thus one may argue that it is technically not an “AUMF.”

Yet adopting such an interpretation requires ignoring years of executive branch overreach when it comes to taking unilateral military action without seeking an authorization for use of military force or a declaration of war from Congress.

It requires willfully forgetting the behavior of our current President and past Presidents of both parties, who have chosen to define the concept of Commander in Chief under Article II of the U.S. Constitution to be less a commander and more an emperor while the legislative branch has sat idly by as its war powers were rapidly seized by the modern imperial Presidency.

Congress is a coequal branch of government. It is time we started acting like it. We cannot trust any President to take a blank check and fill in a reasonable number. I must oppose amendment 861 because, in my reading, any President of any party would adopt the broadest legal interpretation possible in defining what constitutes an “other hostile force” or an “attack” or what it means to “ensure the ability of the Armed Forces of the U.S. to defend themselves.”

This language risks unintentionally authorizing President Trump to order all types of military strikes against any number of potential entities that the President deems to be a threat. How would the Trump administration determine the precise baseline that defines the term “ability” of the military to defend itself? Would allowing the degradation of any platform or capability qualify as failing to “ensure the ability” of the U.S. Armed Forces to defend itself? If so, that would authorize the use of funds in the National Defense Authorization Act for Fiscal Year 2020 to take unilateral, preemptive action again a foreign nation or hostile force to preserve the current capabilities of the U.S. military.

I am confident the author of this amendment would disagree with this

interpretation of his legislative language. However, would the sponsor argue that such an interpretation is unreasonable or not possible? Would a Federal Court not defer to the Federal Agency’s interpretation of a vague and ambiguous statute? I do not know the answer to either question; yet I know this: I am not willing to take that risk.

We are living with the consequences of a previous Congress that rushed to pass a concise authorization for use of military force that appeared targeted and limited at first. We have watched as Republican and Democratic administrations alike subsequently employed creative and broad legal interpretations of that authorization to continually expand which parties were connected with the horrific terrorist attacks of September 11, 2001.

To this very day, the Trump administration cites this authorization for use of military force as legal justification to unilaterally deploy Americans all around the world, even though it was authorized in response to an event that took place before some of these troops were even born. To be clear, I am not asserting that I oppose the premise or substantive motivation of every military action that has taken place under the recent Presidential administrations. I am simply stating that such actions must be debated and voted on by Congress.

I deployed to fight in a war I personally opposed because it was ordered by the Commander in Chief, and these orders were pursuant to an authorization for use of military force that was publicly debated and passed by a majority of our Nation’s elected representatives. Opposing a vaguely worded amendment whose own author and proponents assert is duplicative and unnecessary and which I believe may unintentionally open the door to unlimited unilateral military action, ultimately is a vote to make our Nation stronger, more accountable, and a more perfect union in living out the principles contained in our founding document.

Critics may falsely allege that opposing amendment No. 861 is voting against our national defense and military. I will strongly reject any such ridiculous claim that slanders me with the accusation that I would ever risk the security and safety of the Nation I have proudly served in uniform. In voting against amendment No. 861, I am safeguarding our military from excessive use without congressional oversight. I am simply making clear that we, in Congress, must begin exercising the same care and attention in doing our job as our troops do when executing their missions downrange.

One of my primary motivations for serving the great State of Illinois in the U.S. Senate is to help restore congressional war powers. To remind my colleagues that whether one favors military action or opposes the use of military force, every Member of Congress should agree that such matters deserve to be debated and carefully

considered by our Nation’s duly elected representatives in the broad light of day. To remind my colleagues that we must always demand the Commander in Chief clearly outline our desired strategic end state before authorizing military action that puts our troops in harm’s way.

The bottom line is that only Congress has the power to declare war. We are the ones tasked with deciding when and how we send Americans into combat. We are the ones the Constitution charged with that most solemn duty.

For too long, too many elected officials have avoided the responsibility and burden of declaring war. Fearing electoral risks and staring down coming elections, multiple Congresses have shirked their constitutional responsibility to our troops by refusing to repeal the existing authorization for use of military force, while avoiding consideration any new authorizations for use of military force. Enough—enough of being so worried about political consequences that we fail to do our own jobs, even as we expect our troops to do theirs without complaint every day.

We need to do better by our servicemembers. We owe it to them to honor their sacrifices. Part of that means ensuring that no American sheds blood in a war Congress has not authorized, or unintentionally authorized by passing vague language such as in amendment No. 861 that can be twisted to be read as empowering President Trump to take preemptive military action.

We should be disciplined in forcing any President who wishes to go to war to bring their case to Congress and give the American people a vote through their elected representatives. That is how we truly respect our servicemembers and military families: by demanding debate that is honest and clear-eyed about the likely loss of life and the risks of escalation that accompany any use of force. It is our duty, and it is the least we can do for those willing to risk their lives in safeguarding our democracy, our way of life, and our Constitution.

So with the drums of war beating louder and louder by the day, I must oppose amendment No. 861 and keep my promise to all who served or are serving now in defense of this country we love. I must continue seeking to hold all of us who have the honor of serving in Congress accountable for taking back congressional war powers. Moving forward, I urge the leadership of the Senate and House Armed Services Committees to work with me to strike or significantly restrict this language during the conference negotiations that will take place over the National Defense Authorization Act for Fiscal Year 2020.

LOWER HEALTH CARE COSTS ACT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my opening statement at the Senate