

Resolution, by the way—the President of the United States not only has the authority to act in self-defense but an obligation to do so. An obligation to do so. That is No. 1.

No. 2, it is especially true in this case, where the lives and the troops he sought to protect were deployed to Iraq on an anti-ISIS, anti-terrorism mission approved by Congress through an AUMF, an AUMF that states very clearly that one of the reasons we are allowed to use military force, as authorized by Congress, is to defend against attacks.

I don't believe there is a single Member of Congress who has the willingness to stand before the American people and say: I think, when we deploy troops abroad, they should not be allowed to defend themselves.

Not only do you not need an AUMF or congressional authority to act in self-defense, but the troops who were defending themselves here—and the troops we were defending in the Soleimani strike and preventing an attack against—are deployed pursuant to a congressional authorization.

Honestly, what I see here, in addition to the arguments I have already discussed about how ridiculous it is to portray this as the actions of a reckless madman who is escalating things, is an argument about when might you need an AUMF. Give us some theoretical, hypothetical scenario in which you might need an AUMF. The hypotheticals they are posturing are ones that this administration has never, never proposed and, frankly, haven't even contemplated.

No one is talking about an all-out invasion of Iran. If you were telling me the President is putting together plans to invade Iran, to go in and capture territory, to remove the Ayatollah and install a new government, I would say: All right, that is something that there should be a debate about.

Who is talking about that? I haven't heard anybody propose that. Yet, somehow, the House today is going to spend time on this. People have filed bills on this. Look, we can debate anything we want. People can file any bill they want. That is a privileged motion. It comes to the floor. Great.

By the way, no one said: Don't go around talking about this; just be quiet.

Perhaps it should have been stated more artfully, but the point that was being made, which is a valid point, is that, when the Iranians analyze responses to the United States, one of the things they look at is this: Do domestic politics and differences of opinion and divisions among American officials restrain what the President can do against us? You may not like it, but I want to be frank with you. They believe that our political differences in this country and that our disagreements constrain the President's ability to respond to attacks. They believe it limits his ability to deter. Now, hopefully the strike on Soleimani may have

reset that a little bit. That doesn't mean we shouldn't debate it, and I don't think you should ever tell Congress not to discuss these things. We have a right to. Frankly, everybody here has been elected by a constituency, so people can choose to raise whichever issue they want.

I also don't think it is invalid to point out that these internal debates we have in this country do have an impact on what our adversaries think they can get away with. It doesn't make anyone an appeaser or a traitor, but it is a factor I think people should recognize. That is all.

In closing, I would say, look, there was a time—I am not one of these people who pine for the golden era. It is funny. I hear people talking about the Clinton impeachment trial. Oftentimes people come to me and say: In the good old days, back in the nineties, when everybody got together and Congressmen were all friends—and I don't know what it was like then because I wasn't here, but I remind them that, in the golden days about which they often talk, we were impeaching Bill Clinton around here. They didn't do it on social media and Twitter and 24-hour cable news at the time, but there has always been friction in American politics.

One thing I can say that is evident is that there was a time in American politics that I hope we can return to, and that is a time which, when it came to issues of national security, there was some level of restraint because we understood, when it came to that, the people who would ultimately pay the price for overpoliticizing any issue, for reckless talk, and for unnecessary accusations were not the political figures. Presidents and Ayatollahs don't die in conflicts like these. Do you know who dies? The young men and women we send abroad, the innocent civilians caught in the middle, and the refugees who are forced to leave their homes as a result.

There are real-world, life-and-death implications. That is why it has long been American tradition that, when it comes to issues of foreign policy and national security, they were always treated just a little bit differently, with some deference. Even if you disagreed, you sort of tailored it in a way that you thought would not harm those interests.

I think that has been lost, probably, on both sides. I still make it a habit when I travel abroad not to discuss or criticize U.S. leaders at home, but I understand times have changed.

I would just say, in this particular case, I know that this Nation remains conflicted about the conflicts that led us into Iran and Afghanistan and that keep us in the region to this day. That is a valid, valid debate. I just don't think this looks anything like it. This is about a strike that every single member of the President's national security team, including the chairman of the Joint Chiefs, believes was necessary in order to prevent a near-term

attack against Americans that could be lethal and catastrophic.

This is about restoring active deterrents, effective deterrents, against future strikes, and I hope that we can bring that debate back to where it belongs so that, on matters of such importance, we can figure out solutions and not simple rhetoric.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

RECOGNIZING THE NSA

Mr. CARDIN. Madam President, I want to extend the thanks of all Members of the U.S. Senate and the American people to the men and women who are serving our Nation at the National Security Agency based at Fort Meade, MD, the Defense Special Missile and Astronautics Center. It has been in existence since 1964. It is a 24/7 operation. I mention that because it was the work done here in the State of Maryland—and I am proud to represent that State—that gave the early warning information that allowed us to get information to our American forces in Iraq and to the Iraqis that, literally, saved lives.

I want to thank them for their dedicated service. We have the best intelligence information and the best trained people protecting our Nation, and I just wanted to pause for one moment to thank those who are serving at the National Security Agency who are keeping us safe.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Madam President, shortly we will be considering the United States-Mexico-Canada Agreement, the USMCA. It updates and replaces the North American Free Trade Agreement, NAFTA. I support the USMCA and supported it earlier this week, when it passed the Senate Finance Committee on a strong 25-to-3 vote. This strong vote was possible because of the hard work of Democrats in the House and Senate to make this agreement the strongest, fully enforceable, pro-environment, pro-labor trade agreement the United States has ever entered into.

First let me talk about why I think trade is important. I would point out to my colleagues that the maiden speech I gave in the House of Representatives when I was first elected was on trade and the importance of trade agreements. I recognized how important the Port of Baltimore was to our economy and how important free trade and trade was to the Port of Baltimore. So, clearly, trade agreements are critically important to the people of Maryland, and they are important to this country.

First, international trade can lead to better economic outcomes. From leveling the playing field for American businesses to ensuring our trading partners have adequate labor standards to make competition fair, trade can be the catalyst for these outcomes. Second, trade can raise the standard of living for citizens in this country.

Tariffs can disproportionately harm lower income Americans. If the cost of things like milk, soap, or school supplies goes up because of higher tariffs, it doesn't mean these families will stop buying these essentials. It means they will have less to spend on other essentials they depend on to keep their families safe and healthy, like clothes and medicine.

Trade agreements allow us to ensure a zero or low tariff price for these items on which Americans depend, which raises the standard of living for all of us.

Third, trade is important to U.S. foreign policy. The world can be better, safer, and a fairer place when we are working with our allies. Trade agreements ensure the rest of the world starts to act a little bit more as we do, with our values.

This administration's harmful and nonstrategic trade policy has strained our relationship with our allies, including Canada and Mexico. I think it has been misguided and damaging to the future of our country, but this agreement has the potential to begin a healing process with our North American neighbors: Canada and Mexico.

As we move forward with trade agreements, it is important that our values are represented in those agreements, that we strengthen American values. I support good governance and protecting workers and our environment, and I am pleased that they are included in such agreements.

For more than 25 years since the enactment of NAFTA, our economy has changed dramatically, from the proliferation of the Internet, which has changed how businesses can easily be connected to the rest of the world, to how consumers shop, compare prices, and buy goods and services from all around the world, and it is clear that NAFTA is a trade agreement that didn't foresee these changes with our two largest trading partners. In addition, over time, we identified weaknesses in NAFTA and other free trade agreements that needed to be addressed.

All that is to say that NAFTA is overdue for an update. For the past 2½ years, the administration, congressional leaders, and our trading partners have been engaged in the process to update NAFTA to be a trade agreement for the 21st century. In late 2018, an agreement was reached between the United States, Canada, and Mexico. Importantly, reaching this agreement alleviated the threat of this administration to unilaterally withdraw from NAFTA.

The agreement reached in 2018 was, in my view, incomplete and largely just continued the existing NAFTA, but it did have some provisions important to me and my constituents in the State of Maryland.

Maryland is home to a thriving poultry industry. The agreement includes new market access to Canada for U.S. poultry. Maryland farms produced \$1

billion worth of chickens in 2017, surpassing that milestone for the first time. Our poultry industry production grew 12 percent from 2016 to 2017.

The growth in value came even as the amount of chickens produced on the Eastern Shore declined by about 10,000 pounds to about 1.84 million pounds. Maryland is the Nation's ninth largest producer of broiler chickens.

This additional market access is good for Maryland's poultry industry because it means more poultry produced in Maryland will make its way to Canada and Mexico, creating jobs and supporting the economy here locally.

The agreement also included a few provisions that are very important for small businesses. Most important to many small businesses is a provision that raises the level of the so-called de minimis customs and tariff treatment of goods. The de minimis system is important to small businesses. For example, small sellers who list their goods on eBay or Amazon frequently ship to consumers not in the United States. Under the de minimis system, if a shipment under the de minimis level crosses the border, it enjoys expedited customs and lower tariff treatment than larger shipments would.

Under this agreement, the United States agreed to increase its customs de minimis levels to \$800 for exports to Mexico and Canada, and Mexico and Canada have made favorable changes to their systems. As ranking member of the Small Business and Entrepreneurship Committee, this was a welcome change to ensure small businesses aren't bogged down by unnecessary redtape.

The agreement's small business chapter also includes support for small businesses to promote cross-border cooperation, tools for small businesses to identify potential opportunities and increase competitiveness, and public-sharing tools to promote access to capital. These are important issues to highlight for small businesses.

Finally, the initial agreement included a landmark achievement for the first time in U.S. trade history: It included a full chapter on anti-corruption.

During 2015, when the Senate was considering so-called fast-track trade promotion authority, under which the USMCA is now being considered, I authored a principal negotiating objective in the trade promotion authority legislation that requires any trade agreement the USTR negotiates to emphasize good governance, human rights, and the rule of law. These are our values. These values need to be reflected in our trade agreement. It is an important step toward a level playing field for trade with the United States for our farmers, our producers, and our manufacturers. We know our system is a fair system, but in so many other countries we deal with, that is not the case.

This principal negotiating objective really represents an enduring theme in

the way I approach trade. I believe we should use the economic power of the United States to advance human rights and good governance in other countries that may comparatively struggle on that front. I also believe we should not have favorable free-trade agreements with countries that do not believe human rights and good governance are important to uphold.

Because of my focus on this requirement in 2015 and thanks to USTR Ambassador Robert Lighthizer, the USMCA is a trade agreement that for the first time includes a chapter on anti-corruption and good governance. This is our first agreement that includes such a chapter, and I anticipate this will be the template for any future trade agreement involving the United States.

The USMCA's anti-corruption chapter includes a number of commitments on transparency, integrity, and accountability of public institutions and officials.

First, on anti-corruption laws, under the USMCA, countries are required to outlaw embezzlement and solicitation of bribes by public officials and must make it a criminal offense for anyone to offer bribes to public officials to influence their official duties or to officials of foreign governments or international organizations to gain a business advantage.

I know that sounds like a no-brainer. Why wouldn't all countries already have those types of laws? But the reality is that they don't. The reality is that many of our trading partners have corrupt systems, and that puts American companies at a disadvantage. But also, we should be using our economic power to advance our values. This chapter carries that out.

Second, on transparency and accountability, under the USMCA, countries must take proactive steps against corruption by implementing and maintaining accounting and auditing standards and measures that prohibit the creation of false transaction records and off-the-book accounts.

Third, the USMCA requires parties to create codes of conduct and procedures for removal of corrupt officials, as well as adopt measures requiring officials to disclose outside activities, investments, and gifts that could create conflicts of interest.

Fourth, on public engagement, under USMCA, countries must agree to promote the engagement of the business community, NGOs, and civil societies in anti-corruption efforts through information campaigns, developing ethics programs, and protecting the freedom to publish information about corruption.

Finally, on good regulatory practices, under the USMCA, countries must follow a transparent regulatory rulemaking process, which the agreement clarifies includes publishing the proposed regulation with its regulatory impact assessment, an explanation of the proposed regulation, a description

of the underlining data and other information, and the contact information of responsible officials.

USMCA further requires parties to follow the U.S.-like system of notice and comment periods for proposed regulatory rulemaking in which the regulators are required to consider comments of any interested party, regardless of nationality, which means Americans will have input in the regulatory process in Canada and Mexico, which has direct effect on our access to their markets.

The countries also agreed to publish an early planning document of regulations the country intends to revise in the next 12 months and to ensure that regulations are written in a clear, concise, and understandable manner.

The USMCA encourages authorities to consider the impact of new regulations when they are being developed, with particular attention to the benefits and costs of regulations and the feasibility of other approaches.

This is an incredibly important achievement, and it is important as a model for U.S. agreements going forward.

By including the good governance and anti-corruption provisions in the USMCA, we are signaling to our trading partners and the rest of the world what our values are—yes, economic values, but also the principles we advance.

However, with these good achievements in the original USMCA, the agreement did not go far enough. There was no deadline to getting it done quickly, so we chose to get it done right.

I wanted to see strict, high standards in the USMCA on labor, environment, and more. Democrats were united in this message. Democrats worked behind the scenes with labor and environmental stakeholders to identify issues and create solutions that could make this agreement one we could support.

Do I think the USMCA lives up to these standards? Yes, I do. The updated USMCA includes important provisions regarding labor standards, which have the potential to improve working conditions and create a more level playing field for U.S. workers.

These changes include the Brown-Wyden rapid-response mechanism, which enables the United States to take swift enforcement action against imports from individual facilities, and stronger labor obligations in the agreement. The changes include a number of other important labor issues, including strengthened labor obligations, new labor-monitoring mechanisms, and extra funding for labor efforts. The implementing bill includes new mechanisms and resources to ensure that the U.S. Government effectively monitors Mexico's compliance with the labor obligations.

The result of these labor additions earned support for the USMCA by the AFL-CIO, United Steelworkers, and the International Brotherhood of

Teamsters. Truly, this is an agreement that is good for labor.

Another critical aspect of the USMCA is that it ensures that our trading partners meet the environmental standards of this country. We want a level playing field. We also want to help our environment.

With respect to the environment, the updated USMCA is a significant improvement over the original NAFTA. The USMCA incorporates environmental obligations into the agreement itself, which are subject to dispute settlement, unlike the original NAFTA, which only included an unenforceable side-agreement.

The USMCA includes upgraded commitments on topics including fisheries subsidies, marine litter, and conservation of marine species.

Democrats secured amendments to the agreement, as well as provisions in the implementing bill, to strengthen the ability of the United States to monitor and enforce the obligations and ensure that the parties are bound to their environmental obligations.

I want to acknowledge my colleague Senator CARPER, the ranking member of the Senate Environment and Public Works Committee, which I also sit on. Together, we pushed to improve this agreement with respect to the enforceability of the environmental provisions. We were happy to see this agreement include many of the things Senator CARPER and I worked and pushed to have done.

Included in the new USMCA is a new trigger mechanism to give environmental stakeholders an expanded role in environmental enforcement matters and create accountability for the administration with regard to seeking environmental enforcement actions under USMCA.

Under the existing NAFTA, any person in a NAFTA country can make a submission to an intergovernmental organization established by NAFTA to address environmental issues, alleging that a NAFTA partner is not living up to its environmental obligations. You can do that. Submissions undergo a public factfinding process by the head of that body, which produces a factual record if the allegation is found to have merit.

Here is where the problem comes in: Once the production of that factual record is done, there is no enforcement mechanism. We have corrected that. Through this new trigger mechanism in the USMCA that was developed, if a factual record is produced, the new Interagency Environment Committee, headed by the USTR, will have 30 days to review the record and make a determination as to whether to pursue enforcement actions under USMCA against the violating country. If the committee, headed by the USTR, decides not to pursue enforcement actions under USMCA, within 30 days after its determination, the committee must provide Congress with a written explanation and justification of its de-

cision. This is a huge step forward in quickly identifying and addressing any environmental action that needs to be taken under this agreement.

In addition, the agreement includes an additional \$88 million of funding appropriated over the next 4 years for environmental monitoring and enforcement to ensure that the goals of the USMCA's environment chapter can be realized. This includes \$40 million appropriated over the next 4 years for the new environment sub-fund Senator CARPER and I pushed to create under the USTR's existing Trade Enforcement Trust Fund, which will be dedicated to enforcement of the USMCA's environmental obligations.

As I mentioned, the United States-Mexico-Canada Agreement establishes an Interagency Environment Committee, led by the USTR, which will coordinate U.S. Government efforts to monitor implementation of its environmental goals. It also establishes up to three new environment-focused attachés in Mexico City to help ensure Mexico is living up to its environmental obligations. It includes new reporting requirements to regularly assess the status of Mexico's laws and regulations that are intended to implement its environmental obligations to help ensure Mexico is living up to its commitments.

We believe the USMCA is a strong, enforceable agreement that makes positive strides in protecting the environment. As this agreement is implemented, I will be watching to ensure that the other parties to this agreement live up to the promises they are making in this bill.

In closing, I support the USMCA because it will help raise the living standards for Marylanders, cuts red tape for small businesses, and unites us with our allies. The provisions of the USMCA protect the environment, help labor organizing efforts, fights for good governance and against corruption, and is enforceable.

I urge my colleagues to support the legislation when it comes to the floor. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

IRAN

Mr. GARDNER. Madam President, I come to the floor to speak about the policy of the United States toward the Islamic Republic of Iran. I commend the administration for taking decisive action last week in Baghdad against Tehran-backed terrorists planning an imminent attack on American targets.

The administration's action with Qasem Soleimani was not only decisive but necessary and legal under longstanding Presidential authority to protect American lives from imminent attack. It is our obligation, it is our duty to protect American lives, especially when our national security agencies and personnel know the imminent danger of attack.

The President made the right call at the right time to neutralize the threat