

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

and to save American lives. Imagine having done nothing—having done nothing—and allowing the attacks to proceed. That is exactly what happened. At yesterday's classified briefing, General Milley and our national security personnel made it clear: The death of General Soleimani saved lives.

Our duty in Congress is to protect the United States, its people and interests, diplomats, and our men and women in uniform around the globe. The actions taken by our military in Iraq undoubtedly saved American lives and addressed a clear, compelling, and unambiguous threat.

The world should not mourn Qasem Soleimani—a man whose name is synonymous with murder in the Middle East as the head of the Islamic Revolutionary Guard Corps' Quds Force, which is designated as a terrorist organization under U.S. law; a man who was personally designated as a terrorist battlefield commander by President Obama. The Quds Force was the tip of the spear for the regime in its terrorist activities abroad and is responsible for thousands of deaths across the region.

Most importantly, according to the Pentagon, Soleimani was responsible for the deaths of over 600 American servicemembers in Iraq. GEN David Petraeus, who commanded our forces in Iraq, stated last week that in his opinion, taking out Soleimani was bigger than bin Laden, bigger than Baghdad.

In other words, President Trump rid the world of an extreme and lethal enemy of the American people—someone who was actively pursuing and had killed and taken American lives. I fail to understand how anyone can question this decision or its rationale. I know they certainly did not—and rightfully so—when President Obama took out bin Laden.

We expected an Iranian response, and on Tuesday, Iran launched a ballistic missile attack against bases in Iraq hosting U.S. troops. I condemn these attacks in the strongest terms, and we are fortunate that they did not result in any casualties.

I do not want war with Iran, but the President did not take this action in a vacuum. Contrary to claims by some of my colleagues in this very Chamber, it is Iran that has escalated tensions, not the United States. Over the last several months and years, Iran has sharply escalated its malign behavior against the United States and our allies.

On June 13, the IRGC attacked two oil tankers in the Strait of Hormuz, a critical global shipping lane. On June 20, the IRGC shot down a U.S. unmanned aerial vehicle in international space. September 14, Iran sponsored an attack on Saudi Arabia's oil facilities, temporarily cutting off half of the oil supply of the world's largest producer. December 27, Iranian proxy group Kataib Hezbollah carried out a deadly attack against a base in northern Iraq, killing an American civilian—killing

an American. The administration appropriately retaliated against this group on December 29. Then, on New Year's Eve, Iran-backed militias besieged and damaged the U.S. Embassy in Baghdad for 2 days, forcing the administration to take prudent measures to prevent further violence.

When Soleimani was caught plotting additional attacks against American targets, the administration took lawful and appropriate action. I now urge Tehran to take the opportunity to de-escalate tensions immediately. The administration must also continue taking all necessary steps to keep our troops, diplomats, and countries safe, and to regularly consult with Congress on next steps.

It is my hope that diplomacy ultimately prevails, but we must not repeat the mistakes of the past. Iran's enmity toward the United States stretches over decades, not just months or weeks. Following the Islamic Revolution in Iran in 1979, the ruling mullahs held 52 American diplomats hostage for 444 days, releasing them only on January 20, 1981, the day President Ronald Reagan was sworn into office. Two years later, on April 18, 1983, a truck laden with explosives rammed into the U.S. Embassy in Beirut, Lebanon, killing 17 Americans. On October 23, 1983, a similar attack on the U.S. Marine barracks in Beirut killed 241 American servicemen. Overwhelmingly, the evidence led to Iran and its wholly owned subsidiary, Hezbollah, as the perpetrator of these attacks.

The Iranian regime has not changed in 40 years. It targeted and killed Americans during the Iraq war, supported Shiite militias, and supplied deadly explosives used to target our troops. Iran continues to prop up the regime of the murderous Bashar al-Assad in Syria. The Iranian regime regularly refers to the United States as the Great Satan and threatens our ally, Israel, which they call Little Satan—threatens to wipe them off the face of the Earth. The mullahs continue to grossly abuse the human rights of their own people, as demonstrated by recent bloody crackdowns on protesters in Iran that have claimed hundreds and hundreds of innocent lives.

Despite all of this, in 2015, the Obama administration rewarded Tehran with a sweetheart deal known as the Joint Comprehensive Plan of Action, or JCPOA, which paved a patient pathway to a nuclear weapon for Iran, lifted all meaningful sanctions against the regime, and did nothing to constrain Iran's malign behavior in the region. Iran used the billions of dollars that were provided in the JCPOA to dramatically increase its terror funding and its military funding.

The Trump administration rightly exited the JCPOA in May 2018 and re-imposed crippling economic sanctions against the regime. They have been clear with Iran that the door to diplomacy remains open if Iran changes its behavior and complies with international norms.

On May 21, 2018, Secretary of State Mike Pompeo delivered a speech at the Heritage Foundation, which clearly stated the administration's objectives: Iran must forgo its nuclear aspirations, cease its support for terrorism, and respect the human rights of its people. Secretary Pompeo said:

Any new agreement will make sure Iran never acquires a nuclear weapon, and will deter the regime's malign behavior in a way the JCPOA never could.

We will not repeat the mistakes of past administrations, and we will not renegotiate the JCPOA itself. The Iranian wave of destruction in the region in just the last few years is proof that Iran's nuclear aspirations cannot be separated from the overall security picture.

Secretary Pompeo was clear that once Iran changes its behavior, it will reap the benefits, stating:

[The United States is] prepared to end the principal components of every one of our sanctions against the regime. We're happy at that point to re-establish full diplomatic and commercial relationships with Iran.

And we're prepared to admit Iran to have advanced technology. If Iran makes this fundamental strategic shift, we, too, are prepared to support the modernization and reintegration of the Iranian economy into the international economic system.

I hope the latest events have made it clear to Tehran that the United States will never back down from protecting our people, our interests, and our allies. Now the ball is in Tehran's court to choose the path of peace or the path of confrontation. It is my sincere hope that they choose the path of peace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I have come to the floor today to talk for a while about the nomination of Paul Ray to serve as Administrator of the Office of Information and Regulatory Affairs. I will do that, but first I want to take a few minutes to set the record straight on what we just heard.

Tom Friedman, who writes for the New York Times, is a famous author, lecturer, and a brilliant guy. Among the things he has mentioned in his writings over the last 3 years is something called the Trump doctrine. The Trump doctrine goes something like this: Barack built it. I, Trump, broke it. You fix it.

There are any number of examples where that has happened: Paris accords on reducing emissions of carbon dioxide on our planet and the Trans-Pacific Partnership, where the United States would lead 11 other nations in a trade agreement around the world. Those 12 nations would be responsible for 40 percent of the world's trade. Under that agreement negotiated in the last administration, the Trans-Pacific Partnership, we would lead that 12-nation group in 40 percent of the world's trade. China was on the outside looking in. This administration walked away from that.

The greatest source of carbon emissions in our planet and the greatest threat to the future of the planet for

these young pages—whom I am looking at now—is way, way too much carbon dioxide in our atmosphere. It is getting worse, not getting better. The greatest source of carbon emissions on our planet are emissions from our cars, trucks, and vans.

The last administration negotiated a 50-State deal, which would have reduced emissions from mobile sources dramatically in the years to come. This administration broke away from it. They walked away from it. The last administration negotiated a rule regulation to dramatically reduce emissions from the second greatest source of carbon emissions in this country and from our utilities: coal-fired utilities, primarily. If you add together the reduction in carbon dioxide emissions going forward from our mobile sources negotiated by the last administration and negotiated in a regulation called the Clean Power Plan, they would provide almost half of the emission reductions by 2050 that we need—almost half. This administration walked away from both.

The last administration argued that rather than always be threatening war with Iran and doing these proxy wars with Iran, maybe what we should focus on is the main thing. A friend used to advise me. He said: TOM, the main thing is keep the main thing the main thing. The reason why we negotiated the JCPOA deal with Iran was to deter Iran from developing and having nuclear weapons that could create a nuclear arms race in the Middle East and put them and, I think, the rest of our planet, literally, at risk. Under the agreement negotiated with Iran and six other nations—including the United States, the Brits, the French, the Germans, the Russians, the Chinese—under the agreement, the Iranians had to agree to stand down, to slow down much of their nuclear enrichment that could actually lead to nuclear weapons. They had to agree to intrusive inspections by the IAEA, the international watchdog for atomic energy. In return for their willingness to do those things, we would reduce the very harsh sanctions that had been put in place by the last administration—very harsh economic sanctions.

The Iranians did what they agreed to do. They stood down their development. They opened up their facilities to intrusive inspections by the IAEA for the last 4 years. There were almost 20 different rounds of inspections, each of which came to the same conclusion: Iran, whether we like it or not, whether we like their leaders or not, kept their word. Some of us remember what Ronald Reagan used to talk about. He used to say that in terms of doing nuclear deals with the Russians—the Soviets—he used to say: “Trust but verify.”

Well, what we did with the Iran deal was mistrust or distrust. We didn't trust them, but we would verify that they were keeping their word. Whether we like it or not, surprisingly, they

did, until this administration came along and walked away from that agreement, which was working. It imposed even harsher sanctions on Iran and led us to, really, where we are today.

Again, Tom Friedman, who gave us the Trump doctrine: Barack built it. I, Trump broke it. You fix it. This is just another example of that happening. We shouldn't be surprised by the events of the past week. It didn't have to be that way. It didn't have to be that way.

I think in the country of Iran, half of the people are under the age of 25. They were never born when the original Ayatollah was in charge, and they had the Iranian revolution. The younger people there would like a better relationship with us. They have elections there, too, where people can actually show up and vote—men and women—vote for municipal elections, for mayors, city councils, and so forth, for Parliament—their Congress is called the Parliament—for their President. I think the last time they voted was 3 years ago. You know which forces gained votes? They don't have Democrats or Republicans over there. They have hard-liners, and they have moderates. The moderates gained election victories in mayoral elections across the country and city council elections across the country. The moderates picked up a lot of votes in the Parliament. The hard-liners lost votes.

The actions of this administration over the last 3 years have pushed Iranian voters, including a lot of young people, away from supporting the moderates in their Nation and pushed them into the arms of the radical extremists, the hard-liners. It didn't have to be that way. It didn't have to be that way.

I don't know how we put this mess back together again, but we need to. I am not sure. I don't have a lot of confidence that this administration is going to be able to do that, given their track record over the last 3 years—at least on this issue.

NOMINATION OF PAUL J. RAY

Madam President, let me talk about Paul Ray. Paul Ray is a bright young man. He is the kind of person I think most of us would say: He ought to be in an administration. I don't care if it is a Democratic administration or a Republican administration. He is smart, well educated, and has good experience. He has been the nominee to head something called OIRA, the Office of Information and Regulatory Affairs, an entity that exists within OMB.

I have met him. He has come to my office to talk with me. He is a very polite young man. He has been before our committee. I voted today against his confirmation. I will tell you why. The Committee on Homeland Security and Governmental Affairs used to be the Committee on Governmental Affairs. I served on it for 19 years. One of the things I love about that committee is that we have oversight over the whole Federal Government. Every committee we serve on, including committees the

Presiding Officer serves on, all have an oversight role. A lot of that oversight deals with the administration as part of our checks and balances. We can only do that job so well if the administration allows us to do our job.

During the confirmation process—as the Presiding Officer knows—witnesses and nominees come before us from the administration. They have been vetted by the administration. They have gone through staff interviews. Then they come to a committee hearing. We also ask questions of the nominees that are relevant to the jobs they are going to do.

Every now and then, you have a nominee for a particular position who is not forthcoming in his or her responses, so we do something called QFRs, which are questions for the record. They are designed to give the nominee another bite at the apple in responding to the questions that Democrats and Republicans have. A lot of times, the nominees are forthcoming, and that is good. The nominations then move forward, and they get confirmed.

I have learned, if nominees are not forthcoming and are not responsive to the oversight questions we ask before they get confirmed, good luck after they get confirmed, for it doesn't get any better. I don't care whether you happen to be a Democrat or a Republican; you have to be concerned about the reluctance and the unwillingness of nominees to respond to reasonable questions regardless of who is in the White House and regardless of who is in the majority of this body.

Let me say a word or two about OIRA. OIRA plays a central role in establishing regulatory and information collection policies across our entire Federal Government. OIRA oversees the rulemaking process from start to finish—from the reviewing of drafts of proposed and final rules, to managing the interagency review process, to ensuring agencies make rulemaking decisions based on sound cost-benefit analyses.

The Administrator of OIRA is a critically important position because, at the end of the day, he or she is responsible for ensuring that rules promulgated by agencies benefit our society, protect our quality of life, protect our health, protect our safety, and protect our environment.

Earlier today, I joined a number of my colleagues on the Committee on Environment and Public Works in a letter to Mr. Ray. We asked him to review concerns that have been raised recently by the EPA's Science Advisory Board about four specific rulemakings that are currently under review.

The EPA's Science Advisory Board found serious concerns with the Trump administration's clean car standards rule, with the administration's proposed mercury and air toxics rule, with the administration's clean water rule rollbacks, as well as with a proposed EPA secret science rule, which will have the effect of limiting the science