

every single U.S. State's and territory's attorney general has now endorsed our bill. That is all 50 States and 6 territories. That doesn't happen very often. This is a bipartisan group of law enforcement officials who has said: We support this legislation, the FIGHT Fentanyl Act, that we introduced last fall. I am confident we can get it passed if it comes to the floor for a vote. There are other approaches to it as well that are slightly different than ours. I support those as well.

The point is, we need to pass legislation to ensure that February 6 doesn't come and go without our scheduling these fentanyl analogs. It is a good example of the need to continue working across the aisle on this issue. We have done a good job with it so far. As I have said, even in these contentious times, we have to do it again, and we have to do it soon. I am told that during impeachment, it is impossible or at least very difficult to legislate on any other topic without having unanimous consent. So we need to get this done before next week, before we get the Articles of Impeachment and before the U.S. Senate begins the impeachment trial.

I urge all of our colleagues to focus today on this issue. Join us in this commonsense, lifesaving legislation. Let's work together. The Committee on the Judiciary has been working on this, and others have worked on this. We have legislation at the desk to be able to solve it. I hope we can do it by unanimous consent, but we have to do it. This is lifesaving legislation to keep fentanyl from spreading its poison even further.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. RUBIO. Mr. President, whether it is tomorrow, later today, or sometime next week, I know there will be an effort here to restrict the President's ability to engage the Armed Forces of the United States in a conflict with Iran.

I think, any time you have something like that come up, there are two most important questions that need to be answered: No. 1, Why? Why do we need this law that you are pursuing? No. 2, What would that law do? Let me try to answer the "why." I can deduce two separate arguments.

The first is the argument that somehow the actions of the United States, for example, of pursuing a maximum pressure campaign against Iran and leaving the Iran deal—according to at least the language of the version I saw, which I know is going to be amended—have included economic, diplomatic, and military pressure and that this is raising the risk of retaliation against U.S. troops and personnel, which will lead to a cycle of escalating back-and-forth violence between Iran and its proxies and the United States, and that

these warnings have been proven to be correct. I guess the first argument is that we left the Iran deal and that this is the reason we are now on the verge of what some view to be an all-out war against Iran.

The second argument is rooted in the constitutional views that some of my colleagues hold that Congress has a role to play and that no extended military engagement should be allowed without there being congressional approval. These are two separate motivations, and I think it is possible to hold that second position and also be motivated by the first. I think, for many of my colleagues, it is solely a constitutional question, which I respect. So let's analyze the "why" for a second.

First of all, I think it is just not true that the reason Iran and its proxies are trying to kill Americans is that we pulled out of the Obama deal with Iran. Iran has most certainly responded with violence to our decision, but that is not what motivated Iran. For example, before there was even an Iran deal from which to pull out, it was already equipping and supplying Shia militias in Iraq with weapons that killed and maimed Americans in the hundreds. In fact, Iran's antagonism toward us predates any discussion about an Iran deal. It predates our presence in the region and the numbers that we currently have there. I think it is also flawed because, during the Iran deal—even when the Iran deal was in place—Iran was still sponsoring all of the same proxy groups with all of the same weapons and was undertaking all of the same targeting.

One of the flaws of the Iran deal and one of the reasons the Iran deal was not a good one was that it actually didn't deal with this activity. The only thing it dealt with was enrichment. It did nothing to limit Iran's missile program, and it did nothing to limit Iran's sponsorship of terrorism. In fact, the only impact it had on its missile program and on its sponsorship of terrorism was that it provided economic activity that generated revenue to fund those things.

Despite the denial and the repeated and bold-faced lies of some who have gone on TV and have said: Oh, there was never any cash transfer, there absolutely was. There was over \$1 billion delivered to the Iranians. They say these were funds that had been frozen. They say this was their money and that this is why it was released to them as part of this deal. The Iranians don't tell you that there is close to \$50 billion in unpaid claims that have been adjudicated in U.S. courts on behalf of Americans who have suffered at the hands of Iranian terror and who have not been paid.

Suffice it to say that the Iran deal was flawed. One of the reasons it was flawed is that it did nothing to prohibit the sponsorship of terrorism, and it actually generated economic activity and the delivery of over \$1 billion in cash. I assure you this was not used to build

bridges, roads, and schools but was used to fund these nefarious activities that Iran undertook before the Iran deal, during the Iran deal, and after the Iran deal.

So the fact that Iran is responding with violence to economic sanctions, which by itself is unacceptable, tells us the nature of this regime is to respond to economic sanctions—not to military action—with violence and efforts to kill Americans. It doesn't mean this is the reason Iran was doing that. Iran was already doing that. It has just been part of its response.

This leads me to the second point. Iran has already been doing it because Iran's goal is not simply to get us back into the Iran deal; its goal is to drive us from the region. Iran does not want an American presence there, and it does not want American influence in the region. Iran does not want it in Iraq, which it has been against from the very beginning, and it doesn't want it in Syria. Yet it is not just limited to Iraq and Syria. Iran doesn't want our presence in Jordan, in Kuwait, or in Bahrain. It doesn't want any American presence in Afghanistan. It doesn't want us anywhere in the region because Iran views it as an impediment to its desire to be a dominant regional power, and Iran views it as an impediment to its ultimate design of destroying the Jewish State.

Iran decided not last week, not last year, and not at the beginning of the Trump Presidency but well over a decade and a half ago that the way it was going to get us to leave the region was by inflicting costs—i.e., with the deaths and the injuries of American service men and women—and that Iran would make it so painful for us to be there and so painful for these countries to host us that we would ultimately leave. That is the reason Iran is undertaking these attacks.

Now, why are we there? It is a good question and a valid one to answer, and I will answer it in the cases of both Syria and Iraq.

We are not there on an anti-Iran campaign the way in which some describe. There is an element of prohibiting Iran from capturing Iraq and turning it into a puppet state. By the way, many Shia politicians in Iraq share that view. They may not want us to be the protector, at least openly, but they are nationalists just like they are Shia.

The fundamental and the principal reason we are in Iraq is as part of NATO's anti-ISIS mission and as a train-and-equip mission. We are there to train and equip Iraqis to fight against ISIS. It has been an effort that has been successful. It has worked. It is interesting that for a time, when Iran shared the same fears of ISIS, you saw Iran sort of stand down a little bit. Even after we pulled out of the Iran deal, Iran pulled back a little bit because it, too, wanted ISIS defeated. Now it argues that, in its mind, ISIS has been diminished and that it is time

for the Americans to go. If you will not leave on your own, then we are going to start killing people until you decide the price of being here is too high.

Here is the bottom line. The reason there are American troops in large parts of this region is for an anti-terror campaign. Iran has decided to use proxies and these deniable attacks—by “deniable,” I mean getting some other group to use the weapons you gave them to attack Americans—so Iran can say: It was not us, even though everyone knows it is Iran. That way, you can sort of try to avoid a direct war with the United States and international condemnation, but everyone knows it is you. That is why Iran is attacking us.

Now, I ask you: What is supposed to be the U.S. response?

First of all, it is in the law. It is a constitutional requirement, and the power resides in the Presidency—the right to defend U.S. service men and women when they come under attack. No. 1, there is a constitutional power and, in my mind, an obligation to defend, to prevent, to repel, and to respond to attacks against American troops who are deployed abroad.

No. 2, it is embedded in congressional authorization for that anti-terror mission to begin with. In both Iraq and Afghanistan, we are present at the authorization given by Congress over a decade and a half ago, and imbedded in that authorization is the right to self-defense.

The third point I would make is that if you look at this argument about AUMF, you would think what we are seeing here looks something like the run-up to the Iraq war or the run-up to the Afghanistan war. This is complete fiction. The Afghanistan war was one in which the Bush White House came to the Congress back then and said: Look, the Taliban is allowing al-Qaida to act with impunity from its territory, and we are going to go take them out. It was an offensive operation—an invasion. With Iraq, we all know the justification, which turned out not to be the case, about weapons of mass destruction and the like—again, an offensive military operation.

No one in American politics whom I see—certainly no one in the Trump administration—has talked about ramping up and sending 150,000 or 200,000 troops marching into Tehran. No one is contemplating that. The only thing the Trump administration has talked about is that if you attack our troops or if we think you are getting ready to attack our troops, we are going to prevent it if we can. We are going to repel that attack if it happens, and we are going to respond proportionately in return as a deterrent. You don't need congressional authorization to do that.

Imagine the practical implications if that were the case. The President of the United States would have to come to Congress on December 30 because we are under attack and ask us to recon-

vene; everybody fly in, take a vote, debate for a week and a half, and then decide. By that time we would have 300 dead Americans. It is ridiculous. It is not a requirement. It is not even practical.

So I don't understand the purpose of this AUMF. What war are you trying to prevent? Unless you believe that we brought this upon ourselves because we pulled out of the Iran deal—even if you believe that one of the reasons we stayed in the Iran deal was to prevent these sorts of attacks, which I don't think is justified—it is not a justified argument by the very fact that even during the Iran deal they were already doing some of these things and have a long history of doing that. If you argue it and believe it, you can't argue that attacking and killing Americans—violence—is an appropriate response to economic sanctions. You most certainly cannot argue that we cannot have a military response to protect our men and women and our interests in the region. Yet that seems to be the argument embedded in the AUMF.

Some will state that all it does is restate law, and it doesn't have any practical impact in the end. If the House doesn't pass the same thing, what is this really going to mean? That is true in a legal perspective. Let me state what the headlines already say and are going to say. Here is what they are going to say: “Congress votes to limit President's military options” or “Congress votes to limit Trump's ability to respond militarily to Iran.”

I want to be clear because I have heard this from others—the fact that they were being told not to debate this issue. Debate all you want, but those headlines and how they are read in places like Iran are very different than the debate we are having here. How they would read it is that the President has political domestic constraints about how much he can respond to what they do.

We already have a fundamental problem with Iran, and that is, unlike many countries in the world, they don't view or respond to things in the same way. For example, it is pretty clear that their view of what they can get away with is much higher than the reality of what they can get away with, as evidenced by the increasing scale and increasing magnitude of the attacks that their proxies were taking against the United States and the region. So the threat of miscalculation on their part is very, very high. Let's not forget that just a week ago they launched over a dozen rockets at a U.S. military installation where, by the grace of God, no one was killed. But they could have been. You don't launch that many rockets at a U.S. military installation and not expect that some Americans are going to die. So their internal calculus about what they can get away with is already twisted.

Imagine adding to that the perception that somehow the President's hands are tied: No matter what we do,

we can kill 100 Americans because he is really not going to be able to do very much because the Congress took away his power.

You can take the chance that these guys are somehow legal scholars in schools in the American legal system. You can take the chance that they read Congressional Quarterly or whatever publication or that they have read the latest issue of whatever the congressional research office has produced for the practical implications or you can worry that they will misinterpret this vote and its impact for what it means to what they can get away with.

If you want to have a debate, have it. I don't know what you are going to have a debate about. There is no one planning an all-out war against Iran. The administration's strategy is pretty straightforward: If they attack us or are getting ready to attack us, we will respond. If they don't, we won't.

The question of whether there is going to be armed conflict between the United States and Iran is not in the hands of the White House; it is in the hands of the Ayatollah. I assure you, no matter what we vote on here, it is not going to impact their decision over there.

No one—no one I know of—wants a war with Iran. That is not the goal. The goal, hopefully, is to have an Iran that doesn't sponsor terrorism, that doesn't want nuclear weapons, and that acts like a normal country. I bet that is the goal of millions of Iranians themselves.

In the interim, until that day comes, we have an obligation to protect our interests. We have an obligation to protect our men and women whom we have sent into harm's way. For the life of me, I just don't understand what this AUMF seeks to prevent—a war that no one is calling for.

I don't want to imply that we can't have these debates in America, because we can and we should. We are a free society. But I want everybody to be clear about how these debates can be misinterpreted and how these headlines can be misinterpreted by the people who actually have these rockets and control these proxy groups.

The bottom line is that Iran's goal is not just to get us back into the nuclear deal; their goal is to drive us from the region. They want us out, and they have concluded that the way to do that is to use other groups whom they are arming and equipping with increasingly more and more capabilities, meaning bigger and deadlier ammunition and rockets and the like to kill Americans, and the more Americans who die—even if they are there on an anti-terror mission—the likelier it is that we are going to have to pull them out of there. That is what they want. They want us to leave Iraq so that they can turn it into a puppet State.

They want all NATO and allied presence out of Syria so that they can control Syria entirely. They want to fracture our relationship with Lebanon so

that Hezbollah can control that country. They want to destroy our presence in Bahrain, where the Fifth Fleet is located. You can go on and on.

In the end, I think the question becomes, Are we prepared to retreat from that region entirely? You cannot come here and criticize the President for removing troops from the Syrian-Turkish border and abandoning the Kurds and at the same time argue: But you don't have the power unless we authorize you to defend those very troops if they come under attack by some Iranian proxy group. Yet that seems to be the argument.

You cannot argue: We cannot just pick up and leave the Iraqis at the mercy of the Iranian regime. I assure you that if the President announced tomorrow "I am pulling out of Iraq" or if he said before the Soleimani strike "I am pulling out of Iraq," the floor would be filled with people saying that we have abandoned our allies; we have abandoned the Kurds in Northern Iraq; we have abandoned the Sunnis, who are scared of the Iranians.

You cannot argue that and argue at the same time that you think we need to be present and continue to work toward the functionality of that State and at the same time say: But you need congressional approval to act in defense of the people we send there who wear the uniform—or our diplomats, for that matter. Yet that seems to be the argument behind this AUMF.

The vote is going to be what it is. We are going to have this debate. I remember about a year and a half ago, when tensions were high with North Korea, they wanted an AUMF for that.

You can disagree with this White House all you want. I don't think we have had a more anti-war President in my lifetime than the one we have right now. If you think about it for a moment, almost any other predecessor may have responded with a lot less restraint to some of the provocations and attacks we have seen from Iran and its proxies. He acted in a way that I think history will fully justify and in defense of American lives in taking out Soleimani and disrupting a near-term plot that could have very easily have killed dozens, if not hundreds, of Americans in the near term.

I chuckle when I hear people saying: Well, how do we know what Soleimani was doing? Well, that was his full-time job. He wasn't a stockbroker or realtor or diplomat. His full-time job was to travel the world to set up groups and equip groups so that when he told them to go, they could go kill Americans. That was his full-time job. That is what he was doing there.

I believe when all is said and done, history will fully vindicate the decision that was made.

We will have this debate at some point. I imagine that at some point it will move to the floor. It is a privileged resolution. I just think it is shortsighted, and I hope that some of my colleagues who have signed on to it

thinking that somehow we were exerting Congress's constitutional authority—I have no problem with asserting Congress's constitutional authority when it is actually being challenged, but there is no congressional constitutional authority that can prevent a President or should prevent a President from acting in defense of our men and women in uniform when we deploy them abroad. In my view, that is what this bill, which will shortly be before us, does. That is the practical implication of it, so I hope those who chose to be for it will reconsider.

I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAMER. Mr. President, I come to the floor today to express my opposition to the War Powers Act resolution that is making its way through Congress. I believe it is designed to hurt our President politically, while inflicting long-term damage to our national security and military readiness.

Iranian provocation is nothing new. In the last several months, they have drastically and intentionally escalated tensions in the region. After several measured responses, President Trump made the appropriate decision to eliminate General Soleimani, a terrorist mastermind who ordered and helped carry out many attacks on American personnel and our allies.

I want to emphasize an overlooked point here. General Soleimani was killed in Iraq, not Iran. He was in Iraq, in a car with another known terrorist, driving to meet militia members who recently fired rockets at Americans, killing an American contractor with rocket fire, and tried to storm our Embassy. I am going to remind everybody that our Embassy in Baghdad is sovereign U.S. territory.

Whether through an existing authorization to use military force or the War Powers Act, President Trump was well within his legal bounds to take action against a known terrorist sitting in Iraq plotting attacks against U.S. citizens. It would have been culpable negligence to not act on the intelligence informing us of General Soleimani's position, location, and his imminent plans to attack again soon. I thank God the days of appeasement are behind us and we learned from history. President Trump averted another Benghazi-like tragedy.

The President made Iranian leadership pay a price for its aggression. His decisive action made Iran realize that the cost of escalation was more than they can afford, and it worked. Without the loss of American life, while following our Constitution and laws, President Trump deescalated tensions with Iran and, through a clear message of strength, made war less likely.

My colleagues on the other side of this issue know all of this well. They watched it play out in real time, just like the rest of us. Yet, whether it is their deeply rooted disdain for this President or a misunderstanding of the threats that the United States faces every day, they want to limit the President's ability to protect Americans abroad.

The legislation they are promoting requires termination or in some cases complete withdrawal of our forces without any strategic or tactical considerations. Such actions are not based on military doctrine, the recommendations of senior military leaders, or even foreign policy experts; they would be based solely on politics and would constitute a strategic long-term loss in exchange for what they think would be a short-term political win.

Ultimately, my colleagues who support this resolution refuse to accept the undeniable reality that the concept of peace through strength works. Removing the powers and capabilities of our military leaders that keep our country safe will not make us safer.

Whether through personal animosity toward our President or a misunderstanding of the importance of deterring our enemies, some in this Chamber are advocating for changes that would make our country less safe. I will not support their efforts, and I urge the rest of my colleagues to do the same.

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

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. BROWN. Mr. President, last week, the Senate Finance Committee voted on the U.S.-Mexico-Canada Agreement. It is called USMCA. I did something I have never done. I voted for it. I have never voted for a trade agreement in my time in the House of Representatives and my time in the Senate. In fact, I helped to lead the opposition to the original NAFTA among freshmen Members of Congress because I recognized that every single one of these trade agreements basically had the template of corporate interests at the center of them. In other words, these trade agreements—whether it was NAFTA, or the North American Free Trade Agreement, whether a half generation later it was the Central America Free Trade Agreement, whether it was the free trade agreement with South Korea, or whether it was the Permanent Normal Trade Relations with China—all of them were written by corporate interests serving the profitability of the executives and