

when it comes to the prospect of a war with Iran.

He has referenced, many times, the War Powers Act. The War Powers Act, students of history will remember, was passed by the U.S. Congress after the end of the Vietnam war so Congress would assert, with specificity, its authority when it came to the execution of a war. The President at the time, Richard Nixon, opposed the War Powers Act and vetoed it, and because of what the United States had endured during the course of the Vietnam war, Congress overrode the veto of President Nixon to make it clear, with the War Powers Act, that we would never ever, by design, find ourselves in the same moral predicament we did with the war in Vietnam.

Almost 50,000 American lives were lost in that war in Vietnam, a war which was not a declared war under the Constitution but one which still exacted a heavy, incalculable price on American families—families I know and everyone knows, whose lives were touched by that Vietnam war, whose sons and daughters may have served or may have given their lives in service. The decision was made in Congress never again. We are not going to let this happen again. We are not going to find ourselves backsliding into a war.

The American people, through their elected men and women representing them in Congress, will make the decision as to whether it is time for us to go to war and will make the decision as to whether our men and women in uniform are going to risk their lives at war. The decision will be made by the American people through their elected representatives in Congress. It was not a novel idea. We find it in this little Constitution, which we are all handed when we take the oath of office.

As Senator Kaine from Virginia has noted, article I, section 8, in just a few words, says: The Congress shall have the power to declare war. It is not equivocal. There are no footnotes, asterisks, or question marks. The Congress shall have the authority to declare war.

Now, at this moment in time, with the assassination of General Soleimani and the escalation of the conflict between the United States and Iran, Senator Kaine and I come to the floor and ask this Congress, Republicans and Democrats alike: Do these words count? Do we have a constitutional responsibility to stand up and speak up and to challenge this President or any President of either political party when they start moving us toward a moment of war which could easily claim the lives of many Americans?

That is the purpose of our resolution. It is simple and straightforward, but it really goes to a fundamental question. The men and women who serve this country in uniform—God bless them for their sacrifice and their courage. We know that when they take the oath to serve, they are prepared to risk their lives in service. Many of us have

attended the funerals of servicemembers who gave their lives in Iraq and Afghanistan and so many other places. It is a heartbreaking experience to see that emotional family leaving a church or a synagogue after a service honoring someone in uniform who has given their life for this country. That is so fundamental.

Senator Kaine and I have come to the floor today to say we are finding ourselves now moving, day by day, closer and closer to a confrontation with Iran that could result in a war. What Senator Kaine has catalogued and gone through is this long buildup under the Trump administration that brings us to this moment.

To think President Trump inherited from President Obama an international agreement that included the signatories of not only our traditional European allies but also China and Russia to stop Iran from developing a nuclear weapon; to think that that agreement was being monitored by international overseers who reported back to us that they had ready access throughout the nation of Iran when it came to making certain that the JCPOA agreement was lived up to; to think that that at least gave us the assurance that Iran would not develop a nuclear weapon—and then this President, with a series of tweets and actions, swept it away and said we are going to ignore this treaty, we are going to walk away from it, and we are going to confront the Iranians in a variety of ways, as Senator Kaine has spelled out.

So we come to the floor this afternoon to really appeal to our colleagues on both sides of the aisle. On behalf of the American people, let us learn the lessons of history—a lesson bitterly learned during the Vietnam war—that if Congress does nothing, a war can develop and continue at great human cost.

I know the moments of great decision that are made in the U.S. Congress, and I have been fortunate to be part of some of them. I remember October 16, 2002, as if it were yesterday. I remember that well, at that place that I point to, where in the early morning hours, three of us—three Senators stood and spoke to one another as we left to go home. There had just been a vote for an authorization for use of military force in Iraq. The three of us had gathered in the well, including Senator Paul Wellstone from Minnesota and Senator Kent Conrad from North Dakota, and we looked at one another, having all three voted against the invasion of Iraq, and realized we were headed home to face the electorate on that decision. It was an emotional moment.

I remember saying to Senator Wellstone, who had voted against the invasion of Iraq, as I had: Paul, I hope this doesn't cost you the election. He said: Dick, if it does, it is all right because that is what I was elected to do, to come here and to vote on issues. Is it possible there is any issue more important than the issue of asking Amer-

ican families to give their children in service of this country in a war?

Senator Wellstone passed away a few days later in an airplane crash. It was my last conversation with him, but I remember that moment, and I remember the responsibility we had. What Senator Kaine and I are doing now is to appeal to our colleagues on both sides of the aisle. Do not walk away from our responsibility when it comes to the future decision of whether we go to war with Iran. Stand up for those American families who sent us here to do our constitutional duty and engage in the debate as to whether it is the right thing at the right moment of history or whether it is an impulsive decision by a President who broke away from a political campaign meeting to authorize the assassination of General Soleimani and then returned to the campaign meeting. Make the decision as to whether this is the right moment in history. Don't point to the President that it is his responsibility; it is our responsibility. That is what this Constitution says.

(Mr. BOOZMAN assumed the Chair.)

Now, with that responsibility, we need to stand up and act. I am honored to join Senator Kaine. We have filed our resolution. We are seeking a ruling by the Parliamentarian, and we want to move forward on a schedule for a debate on the floor of the Senate. It may be the single most important debate we face this year for many years to come.

I yield the floor.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate the certificate of appointment to fill the vacancy created by the resignation of former Senator Johnny Isakson of Georgia. The certificate, the Chair is advised, is in the form suggested by the Senate. If there be no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF GEORGIA

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Georgia, I, Brian Kemp, the Governor of said State, do hereby appoint Kelly Loeffler a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of John H. Isakson, is filled by election as provided by law.

Witness: His excellency our Governor Brian Kemp, and our seal hereto affixed at the Capitol, in the city of Atlanta, this 1st day of January, in the year of our Lord 2020.

By the Governor:

BRIAN P. KEMP,
Governor.

BRAD RAFFENSPERGER,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designate will now present herself at the desk, the Chair will administer the oath of office.

The Senator-elect, KELLY LOEFFLER, escorted by Ms. ERNST, advanced to the desk of the Vice President; the oath prescribed by law was administered to her by the Vice President; and she severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Maryland is recognized.

NOMINATION OF JOVITA CARRANZA

Mr. CARDIN. Mr. President, I rise today to discuss the nomination of U.S. Treasurer Jovita Carranza to lead the Small Business Administration. Treasurer Carranza's nomination comes at a time of great change for American small businesses. With the growing diversity in America, the face of business ownership in America is naturally also becoming more diverse.

I have witnessed these changes firsthand in my home State of Maryland, which currently boasts the highest concentration of women-owned businesses in the country, as well as the highest concentration of minority-owned businesses. Maryland's success has been no accident; it is as a result of our leaders' decades-long commitment to creating opportunities for underserved entrepreneurs, which began when the late Baltimore Congressman Parren J. Mitchell created the first Federal set-aside for minority contractors in 1977.

It was with this understanding that I requested a seat on the Small Business Committee when I joined this body in 2006, and it is with this understanding that I am hopeful that Treasurer Carranza will provide much needed leadership at the SBA and serve as an advocate for entrepreneurs—especially those from underserved communities—within the administration.

If confirmed to lead the SBA, Treasurer Carranza will enter an agency that has not had a Deputy Administrator since April 2018 and that has been led by its General Counsel since former Administrator Linda McMahon resigned in April 2019. She will join an administration that has pushed for drastic cuts at the SBA in every budget it has sent to Congress. I am grateful that our Appropriations Committee has consistently rejected the administration's devastating budget proposals, and I hope that Treasurer Carranza will work to ensure that the administration's fiscal year 2021 budget is not more of the same.

Minorities, women, veterans, and entrepreneurs from other underserved communities face specific, historical barriers to business ownership, and they need an SBA that has the leader-

ship, vision, and tools required to meet their needs. I would like to use this opportunity to highlight what I believe are the two most critical areas where the SBA is falling short in its support of underserved communities.

First, SBA must do a better job of providing affordable capital to entrepreneurs from underserved communities.

SBA's various loan programs provide entrepreneurs with affordable capital to fund their businesses. These loans are especially important for underserved entrepreneurs, who typically have less wealth with which to fund a small business and have lower rates of business loan approvals.

Instead of filling in the gaps in the credit markets, SBA's highest volume loan program, the 7(a) Program, has mirrored the inequities in the market. That is something we need to address. Addressing this issue is important not only in Maryland, which, as I mentioned, has one of the most diverse small business communities in the country, it is vital for the future health of America's economy, considering that women and minorities are driving growth in new business formation.

According to a recent American Express study, the overall business ownership rate increased only 9 percent between 2014 and 2019. Over the same 5-year period, the number of women-owned businesses increased 21 percent—more than twice as fast as the overall rate—and the number of minority women-owned businesses grew by 43 percent.

It is clear that the underserved communities are driving the growth and business formation in America, and SBA's loan programs must catch up to this new reality.

Second, SBA must do all it can to increase opportunity for small business contractors. Recent trends paint an onerous picture of the future of small business contracting. A 2019 Bloomberg Government report found that despite a steady increase in government spending in the past several years, the Federal contracting marketplace is becoming less competitive, with the number of contractors working on unclassified contracts at a 10-year low. Small businesses are facing the brunt of this decrease, which is particularly troubling in Maryland, where Federal contracting accounted for 8 percent—roughly \$33 billion—of our State's GDP in 2018. The jobs created by these companies have helped thousands of families in Maryland enter the middle class.

The Senate has taken steps to help small contractors. I am proud to share that today SBA will begin implementing the Runway Extension Act—legislation I introduced that will allow small businesses to make critical investments to grow their businesses without fearing they will lose access to resources and Federal contracting opportunities.

But Congress alone cannot reverse the increasing insularity of the Federal contracting process; SBA must work with large agencies that are driving these trends in Federal contracting to ensure that small businesses are given opportunities to become prime contractors and supply the Federal Government.

Treasurer Carranza's prior experience should serve her well at the SBA. In nearly 30 years at UPS, where she began as a part-time package handler, Treasurer Carranza became the highest ranking Latina in the history of the company. She also served in government as Deputy Administrator of SBA under President George W. Bush, during which she chaired the SBA's Office of Small and Disadvantaged Business Utilization Council.

At a time when America's small businesses are experiencing rapid demographic changes and new challenges, SBA needs bold and innovative leadership. I am optimistic that Treasurer Carranza can be the leader and advocate that SBA and American small businesses need right now. I support her nomination. I urge my colleagues to approve her nomination as the SBA Administrator.

With that, I yield the floor.

EXECUTIVE SESSION—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration.

Mitch McConnell, John Boozman, Joni Ernst, Kevin Cramer, David Perdue, Steve Daines, Thom Tillis, Roger F. Wicker, James E. Risch, Cindy Hyde-Smith, Lisa Murkowski, Pat Roberts, Richard C. Shelby, Deb Fischer, James Lankford, Chuck Grassley, Mike Rounds.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Utah (Mr. LEE), and the Senator from Georgia (Mr. PERDUE).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."