

puts U.S. troops into hostilities without a congressional authorization—even if the President claims a legal right to do so—self-defense, article II power—but if the President puts U.S. troops into hostilities without a congressional authorization, any Member of Congress can file a resolution to remove the U.S. troops from hostilities and force a vote on that resolution within a prompt period of time. That is the resolution Senator DURBIN and I filed last Friday.

President Trump has engaged the United States in hostilities with Iran. People have different points of view about whether that is a good thing or bad thing, but now that there are battlefield casualties on both the U.S. and Iranian sides, it is clear that this provision of the statute has been met. We are engaged in hostilities with Iran. Not only are the United States and Iran engaged in hostilities that have inflicted casualties on the other side, but the President is essentially acknowledging that we are in hostilities because he is sending War Powers notices to Congress—one in November and one last Saturday—reporting on his actions and saying that the reports are consistent with the War Powers Act. He recognizes that hostilities are underway.

The current hostilities are not pursuant to a previously passed congressional authorization. The 2001 authorization for use of military force authorized military action against the perpetrators of the 9/11 attack. Iran was not a perpetrator of the 9/11 attack, and there is no argument that they are covered by that authorization. There was a separate authorization passed by Congress in 2002. That is the most recent one that has been passed. It authorized action to topple the Iraqi Government of Saddam Hussein. That government is long gone, and that authorization does not permit attacks on Iran or on the current Iraqi leadership, such as the individuals who were killed in the two sets of U.S. strikes. With these two threshold questions met, hostilities are underway as defined by the War Powers Act, and they are not subject to a previous congressional authorization.

We have now filed a resolution to get Congress to reassert its constitutional role. The resolution demands that U.S. forces be withdrawn from hostilities against Iran unless Congress affirmatively passes a declaration of war or authorization, or the United States needs to defend itself from an imminent attack.

If my resolution passes, Congress would still have the ability to pass an authorization, if it chose to, and the United States would still be able to defend itself against imminent attack, but the President could not act on his own to start a war with Iran except in those circumstances.

The resolution does not require that U.S. troops withdraw from the region. We are doing many things in the re-

gion. Thousands of Americans are there partaking in missions that increase the security of the United States and our allies. There is no requirement that we withdraw from the region. These missions include security cooperation with partner forces, fighting against elements of al-Qaida, ISIS, and the Taliban, and ensuring the safe passage of commercial vehicles through freedom of navigation operations. All those activities that are being conducted by the United States in the region can continue.

The resolution does not hold those forces into question or question their mission.

The only thing the resolution would accomplish, if passed, is to back the U.S. troops away from engagement and hostilities with Iran unless for imminent defense or pursuant to a separate authorization.

I would hope to have the support of all my colleagues on this resolution. Its passage would preserve the option of U.S. military action for self-defense. It would preserve the ability of Congress to declare war or pass a war authorization. It would only prohibit this President or any President from taking us to war on his own.

I heard one colleague say: “The last thing America needs is 535 Commanders in Chief.” I completely agree. Once Congress authorizes a war, it should be up to the Commander and the military leadership to wage that war and make the tactical decisions about how to fight it, but the question of whether we should be at war at all is one that is specifically left to Congress.

Let me finish by again focusing on our troops. So many members of the military were home for the holidays, enjoying time with their families, and then received surprise notices that they must redeploy to the Middle East yet again.

Imagine the cost of two decades of war on these troops and their families. Some of these folks have deployed over and over and over again. Imagine being at home at Christmas and receiving the notice you have to deploy yet again to the Middle East.

We are living in a challenging time. Many Americans know nothing but permanent war. We have been at war since 2001. There are Americans, including Americans in the military, that that has been their whole life. That is all they know. Yet, at the same time, many Americans know nothing about war. Because we have an all-volunteer service, many American families are completely untouched by the war. Only 1 percent of our adult population serves in the military.

We have an interesting dynamic that may be sort of unique to our history, whether we have been at war for 20 years and some only know permanent war, while many other American families know nothing about war because members of their families don't serve in the military.

We put war on a footing where it can go on forever, sort of like on “Executive autopilot” by Presidential order, and Congress, in my view—and, again, this is bipartisan—has hidden from its responsibilities.

At this moment of very grave danger, where both Americans and Iranians are losing their lives in hostilities, it is time for Congress to shoulder the burden of making the most important decision we will ever face. That is why I intend to bring this resolution to the floor of the Senate and ask my colleagues to debate and vote on it in the coming weeks.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST— S. CON. RES. 32

Mr. MARKEY. Madam President, Members of the Senate, I rise first to express my grave concern over President Trump's recent actions and words that have brought us to the brink of an unauthorized war with Iran.

Today I am introducing a resolution with Senator WARREN and Senators LEAHY and REED and BOOKER and WYDEN because, on Saturday, President Trump tweeted that his administration is targeting 52 sites, some of which are cultural sites treasured by the Iranian people.

My resolution is very simple. It says that attacks on cultural sites in Iran are war crimes. It is as straightforward as that.

The President would compound the mistake he has made and turn it into something that could be catastrophic for that region, for our country, for the world.

President Trump's repeated threats to add Iranian cultural sites to his military target list is a betrayal of American values. It is wrong. It is a needless escalation which ignores international law and the Defense Department's own policies. Attacking cultural sites is a violation of international law.

Article 53 of protocol 1 to the Geneva Conventions prohibits any act of hostility against cultural objects, including making cultural sites the target of reprisals.

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which has been ratified by this body, also prohibits the attack or destruction of cultural sites.

Attacking cultural sites would also violate the Defense Department's own policies. The Department of Defense Law of War Manual states that cultural property, the areas immediately

surrounding it, and appliances in use for its protection should be safeguarded and respected.

The fact that President Trump's threatened attacks of cultural sites in Iran violate international law and Department of Defense policies may be why, yesterday, Defense Secretary Mark Esper appeared forced to contradict the President.

When asked if cultural sites would be targeted as the President had suggested over the weekend, Secretary Esper stated that the United States "follow[s] the laws of armed conflict."

Well, the U.S. Senate then should speak clearly with one voice to tell President Trump it does not condone attacks on cultural sites in Iran. Given Secretary Esper's comments yesterday, I cannot see why my friends on the other side of the aisle would not support this resolution to make that statement very clear and to make it now before Iran potentially retaliates against us, and the President begins to select the targets inside of Iran.

Attacking cultural sites is what ISIS does. It is what al-Qaida does. It is what the world's most heinous terrorists do. There is no excuse for the President to threaten war crimes by intentionally targeting the cultural sites of another country. This is not who we are. We are the United States of America. We are better than this. We actually fight against this. We condemn ISIS. We condemn others who destroy the culturally sacred objects in other countries.

Just a few years ago, in 2017, the Trump administration itself opposed and condemned the unlawful destruction of cultural heritage at the hands of ISIS. As a top U.S. official to the United Nations, U.S. Deputy Permanent Representative to the U.N. Michele Sison said on the President's behalf:

The unlawful destruction or trafficking of cultural heritage is deplorable. We unequivocally oppose it and we will take all feasible steps to halt, limit, and to discourage it.

Now the President himself is threatening to engage in exactly these sorts of illegal and reprehensible attacks on Iran.

The United States had a choice to make during World War II because our military kept putting Japan's ancient capital Kyoto back on the target list for the atomic bomb. Kyoto is home to more than 2,000 Buddhist temples, Shinto shrines, including 17 world heritage sites.

It was Secretary of War Henry Stimson who went directly to President Truman to argue that Kyoto should be removed because "the bitterness which would be caused by such a wanton act might make it impossible during the long post-war period to reconcile the Japanese to us."

So if we want any ultimate reconciliation with Iran, we cannot allow Donald Trump to order the destruction of the cultural history of Iran so that reconciliation may never be possible.

Imagine the outcry the American people would have if our symbols of cultural heritage were destroyed—the Statue of Liberty destroyed; Independence Hall, where the Declaration of Independence and the Constitution were drafted, destroyed; the memorials along the National Mall destroyed. These places house and embody our collective history and the culture of the United States of America.

The assassination of General Soleimani was a massive, deliberate, and dangerous escalation of conflict with Iran. What conditions prompt us to go to war? The U.S. Constitution and the War Powers Act leave little ambiguity. The Congress, not the President, has the power to make or authorize the war. The Congress has the authority to determine when and how we go to war.

We cannot and must not get drawn into a costly war with Iran. We need to deescalate now. But President Trump's threat to illegally attack cultural sites in Iran only aligns us with the world's most sinister and draws us further along the path to war.

Some might say: Well, Secretary of Defense Esper says that President Trump will not do this. Let me read you President Trump's tweet at 5:52 p.m. on Saturday evening. Here is what he said: "targeted 52 Iranian sites . . . some at a very high level & important to Iran & the Iranian culture, and those targets, and Iran itself, WILL BE HIT VERY FAST AND VERY HARD."

That was by the President of the United States just Saturday night at 5:52 p.m., and we are supposed to be assured by Secretary of Defense Esper that we don't have to worry?

Well, here is what we have learned in just the last couple of days. The generals were stunned. The generals were shocked that President Trump ordered the assassination of Soleimani. So we can't depend upon the representations of Secretary Esper.

We have to make a statement ourselves because no one in his administration controls Donald Trump. If he says that he is going to target the most valuable cultural sites inside Iran, we should believe him. He does what he says he is going to do. He wanted to kill Soleimani. Even if the generals were shocked, he did it.

He doesn't understand the long-term consequences. From his perspective, just get over it. Well, if we sow the wind, we are going to reap the whirlwind in Iran.

If the President decides to take the next step after Iran retaliates—and they say that they are—and these sacred cultural sites are on the list, then taking Secretary Stimson's advice from World War II, our ability to ever reconcile may be impossible.

This is the moment that we have to speak as a Senate because we do not know how much time will elapse before Iran strikes back at us, as they have promised. We should make our statement right now to Donald Trump in

the Oval Office that we do not want him under any circumstances to order the destruction of the most sacred cultural sites inside Iran. It would be a war crime. It would be a violation of the Geneva Convention. It would be a violation of the Hague Convention. It would have catastrophic consequences for our country and for the Middle East for a generation. So this is the time for us to speak—before it happens, before the President fulfills his promise to destroy those sites.

He is the Commander in Chief. He said that he wants to do this. He just killed—assassinated—the top military official, the second most powerful person in Iran, to the shock of his own generals. So do not think for a second he will not do this.

This is a potential tragedy for our country. This is a potential source of eternal friction between our two countries. Reconciliation with Iran would become nearly impossible. So let's make this statement as the U.S. Senate. Let's follow up on what Secretary of Defense Esper represents as the position of President Trump and of the administration—that they don't want to destroy it. But let's make the statement because we know that the Defense Secretary just may not speak for Donald Trump. No one speaks for Donald Trump. Only his tweets speak for Donald Trump, and we know what his tweet said: "at a very high level & important to Iran & the Iranian culture, and those targets, and Iran itself, WILL BE HIT VERY FAST AND VERY HARD."

We have a chance here to make a statement before this happens. Forewarned is forearmed. We have been forewarned, and our ability to act is with a unanimous resolution here from the floor of the U.S. Senate, saying to the President as Secretary Stimson said to President Truman in 1945: Do not do this, Mr. President. It will be a mistake of historic proportions and a war crime. Do not order a war crime to be conducted in the name of the American people.

So the resolution that I bring to the floor is intended to have this body vote and vote unanimously for him not to take that action. This is our moment to speak before he compounds his original mistake—the assassination of General Soleimani—and turns it into a tragedy, which we will have to live with for a generation.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 32 submitted earlier today. I further ask that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Madam President, reserving the right to object, I sit here

listening to this, and a lot of the American people do too. My good friend from Massachusetts has said things that I know he actually believes. He actually believes it.

Here we are with the President of the United States, who has given us, over the objections of the gentleman, my friend from Massachusetts, the best economy we have had maybe in my lifetime. You could argue that. He has been able to do this two ways. One was a way that was designed first by a Democrat—by John Kennedy—when he said that the best way to increase revenue is to reduce marginal rates, and it worked. Unfortunately, President Kennedy died after that.

Then we have the judges right now; we have, right now, over 170 judges. The unique thing about this is that these are judges who are really constitutional judges. They have read the Constitution. That is a unique notion.

Then the military—again, it is hard to sit here and listen to someone who has that level—you hear so much hatred about this President, but he is getting so many great things done. If you look at the military, not many people know this—now, I chair the Armed Services Committee—but we know that during the Obama administration, during the last 5 years—this would have been from 2010 to 2015—he reduced the budget for the military by 25 percent in constant dollars. That has never happened before, even after World War I and World War II when reductions took place. This was even more than that at a time when you can argue it was the most dangerous time in history. So, here the President has been responsible for that, yet there is so much hatred out there.

The issue at hand now with Soleimani—this gentleman's resolution is rather interesting. He is talking about cultural sites. I can remember at the very beginning of the Trump administration, he went out of his way to protect cultural sites. If you talk to different people of minority religions in different countries, they talk about what he has done to protect minority rights and sites—churches that have been torn down. So here is a guy, our President, who has been right in the middle of the very thing he has been accused of offending.

I note that Secretary Esper has made it quite clear that the United States will follow the laws of armed conflict.

I appreciate the spirit of Senator MARKEY's resolution opposing attacks on cultural sites. I agree with that. However, since our votes carry the force of law, we need to be specific in our resolutions. It is simply not true that attacking cultural sites is always a war crime because there are many instances in which cultural sites have been used as staging grounds for hostilities. We all know that. I can give you examples for that.

President Clinton noted in his message to the Senate when he sent the Hague cultural property convention

over for ratification almost exactly 21 years ago on January 6, 1999, and I am quoting from it:

Cultural property is protected from intentional attacks so long as it is not being used for military purposes or otherwise may be regarded as a military objective. Misuse may subject such property to attack.

That is a direct quote.

To be clear, I am not saying that we should target cultural sites, but we certainly should not restrict our military's ability to defend itself with rogue actors appropriating cultural sites for attacks or strategic reasons. The use of a cultural site to construct IEDs, launch missiles, or give snipers carte blanche against our forces is not accounted for in this resolution.

I therefore object to this resolution on those grounds and hope that the resolution will be amended to acknowledge an exception for when cultural sites are used for staging military attacks or other improper purposes.

I object.

The PRESIDING OFFICER. The Senator from Massachusetts.

MEASURE REFERRED—S. CON. RES. 32

Mr. MARKEY. Madam President, I ask unanimous consent that the concurrent resolution be referred to the appropriate committee.

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

Mr. MARKEY. Madam President, just in response to the Senator from Oklahoma, it is deeply disheartening when, on the floor of the U.S. Senate, we cannot agree to a simple commitment that the United States of America should never engage in military actions that are war crimes by attacking cultural sites in Iran.

When ISIS attacks cultural sites in the Middle East, we condemn that because we know what the impact on the cultures of those countries will be. When al-Qaida attacked us on September 11, 2001, which targets did they select? They selected the World Trade Center, the symbol of capitalism in the United States. They selected the Pentagon, the symbol of our defense. And but for those brave passengers on that plane in Pennsylvania, when they said "Let's roll," that target could have been the Capitol Building of the United States of America where we are standing right now, the symbol of Democracy. They knew what they were doing—they were striking at capitalism, at our Defense Department, and at our democracy—and they knew what the impact would have been on our country.

So we have a choice to make right now out here on the floor of the Senate, and that is to make a statement before we do that to the Iranians because we ourselves experienced it, and we know what our reaction was. They will rise up in a way that will make it impossible to reconcile. We will be in eternal war in the Middle East.

My request to the Members is to have this resolution come back out here on the floor. I understand the gentleman's

objection, but the President could be ordering additional retaliatory strikes against the Iranians within a week if the Iranians are good for their word that they are going to hit us. We have to be sure that if the President does that, he does so in a way that does not commit a war crime and that does not destroy these culturally significant parts of the Iranian culture that go back thousands of years. It would be something that ultimately would be catastrophic.

We are better than this. We are the United States of America. President Trump has already made one mistake in assassinating General Soleimani. We should not allow him to compound that mistake.

Mr. INHOFE. Madam President, I request a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator yield for a parliamentary inquiry?

Mr. MARKEY. I yield to Senator INHOFE.

Mr. INHOFE. I am just asking, are we in a period of morning business?

The PRESIDING OFFICER. We are not.

Mr. INHOFE. Madam President, I ask unanimous consent that at the conclusion of the remarks of my friend from Massachusetts, I be recognized for such time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARKEY. Madam President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, 5 days ago, President Trump made the boldest defensive policy decision of his Presidency to date. He authorized the airstrike against the leader of Iran's Quds Force, Soleimani, in accordance with his authorities as Commander in Chief of the United States under article II of the Constitution.

Let's remember who Soleimani was. He was a terrorist. He was responsible for training and funding militias across the Middle East—the very militias that have targeted American personnel, our facilities, and our partners for decades. He was behind the plot to assassinate the Saudi Ambassador in Washington. That was back in 2011. He has been doing this for a long time now. He was responsible for the brutal repression of democratic protests within Iran. The terrorist groups he armed and trained attacked our partners, including Israel.

Some of the people out there are more focused on criticizing President Trump for taking out Soleimani than they are on protecting American diplomats and American troops, conveniently forgetting that Soleimani is the architect of Iran's terrorism and is responsible for over 600 American deaths during the Iraqi war. When you stop and think about how bad he is, it just doesn't get any worse than that.

We hear a lot recently about getting—I am very happy this President was able to put together something and take out al-Baghdadi, but this guy was worse than al-Baghdadi—you can argue, even worse than bin Laden.

Their justification for criticizing the President for killing a terrorist who wanted to destroy America—stated it many times—they think it was reckless and represents a rush to war. Nothing could be further from the truth. Just remember how we got where we are today.

Remember the Obama apology tour? I remember it well. When he first came into office, he went around talking about—all around to our adversaries and our friends alike talking about how bad America was. We remember that, and it was a game changer for our behavior throughout the world at that time.

First, American credibility hit an all-time low under the Obama administration. President Obama set a redline in Syria. We all remember that redline in Syria. That was because Syria was using weapons of mass destruction, and President Obama said: If you continue to do that, we will, you know, take you out—words to that effect. Well, then the redline occurred when Syria started dropping weapons of mass destruction on its own people there. Now, that kind of, I think, changed the thinking of does America mean what they say?

To make matters worse, Obama signed a deal with Iran that didn't address Iran's support for terrorism at all. It gave Iran over \$100 billion, including \$1.7 billion in cash. That was a John Kerry thing. That was when John Kerry was the Secretary of State and President Obama was the President. At that time, \$1.7 billion was given to this terrorist group in small bills, in foreign currency, for obvious reasons—you don't have to stop and think that through—but then, in addition, over \$100 billion, and they even admitted at that time that that could be used to expand terrorist activities.

One of the quotes in 2016—and I wrote it down, and I have used it many times since then—I want you to listen to this. This is a quote from John Kerry in 2016. He said: "I think that some of it will end up in the hands of the IRGC or other entities, some of which are labeled terrorists." John Kerry also said: "You know, to some degree, I'm not going to sit here and tell you that every component of that can be prevented."

So is it any wonder that Iran's regional aggression has only gotten bolder and bolder? Look what has happened just in the last few months. In May of this year, the Iranians attacked oil tankers with land mines. We know about that. In June, they shot down a U.S. drone. It is a U.S. drone. By the way, the cost of that was classified for a while. It is not classified anymore. It was in excess of \$100 million. That is what they did. What did our President do? He sat back, and it didn't cause

him to get all excited. He handled it in a very diplomatic way. Then, in September, they attacked the Saudi oil fields, taking some 50 percent of Saudi Arabia's oil production capability offline.

President Trump showed incredible restraint after each one of those provocations. He responded by increasing pressure on Iran—ramping up economic sanctions and increasing their diplomatic isolation but not anything that would suggest getting into any type of violence at that time.

The President avoided military action while setting a very clear redline. And what was the redline? He said: So long as you don't kill an American—if you kill an American, we are going to come after you. That is the redline. That is a redline that 95 percent of the people in America agree with.

On December 27, Iran crossed that redline. Soleimani directed the attack that killed an American and wounded four other servicemembers. President Trump made it clear that there were consequences for spilling American blood. He said: You kill an American, we are going to come after you. And he is dead now.

Iran never believed there would be consequences. After all, Obama never enforced his redline, and even President Trump was hesitant to use military force. Only a day before the strike that killed Soleimani, Iran's Supreme Leader tweeted at our President—in fact, you have to read this. This is a tweet that came from him to the President: "That guy has tweeted that we see Iran responsible for the events in Baghdad & we will respond to Iran. 1st: You can't do anything." This is a guy telling our President "You can't do anything." That is a quote. That whole thing is a quote that came from him. They never believed there would be consequences, but there were consequences.

Only a day before the strike, he said: "You can't do anything." We are talking about Iran's Supreme Leader tweeting to our President of the United States "You can't do anything." Obviously, they know better than that. Well, President Trump could, and he did. He actually restored America's credibility around the world. He showed that we mean what we say.

You tell me what is reckless—they talk about this as reckless—a President who means what he says and takes the protection of American lives seriously or the fringe Democrats who want to tie the President's hands and deny him the tools to uphold his constitutional responsibility to defend our citizens?

You know, right now before this Senate, there is a resolution—not the one my friend from Massachusetts was talking about but another one that would take away a lot of the President's powers of negotiation. We are talking about powers that are there as a result of article II of the Constitution. That is what our President has—

those constitutional powers. Yet the President did not use military force until they crossed the redline, and that is not a rush to war.

Listen to folks like former Democratic Senator Joe Lieberman. I served here in the Senate with Senator Joe Lieberman. He is a Democrat. I have one of the quotes that he said just recently in analyzing this. I don't recall, but I think he was here probably about 25 years. This is a quote from Democrat Joe Lieberman, a former Senator:

President Trump's order to take out Qasem Soleimani was morally, constitutionally and strategically correct. It deserves more bipartisan support than the begrudging or negative reactions it has received thus far from my fellow Democrats.

That is a quote.

We have another one from about the same timeframe, just recently. Listen to Obama's Secretary of Homeland Security. I got to know him. His name is Jeh Johnson. He was one who was eminently qualified for that position and did a good job while he was there. This is what he said about the action with Soleimani, which the President is being accused of all these terrible things about. This is from the Secretary of Homeland Security under President Obama. Jeh Johnson said:

He was a lawful military objective, and the president, under his constitutional authority as commander in chief, had ample domestic legal authority to take him out without an additional congressional authorization. Whether he was a terrorist or a general in a military force that was engaged in armed attacks against our people, he was a lawful military objective.

Everything that this President did was perfectly appropriate, and these are two prominent Democrats who have come out with this.

So, you know, there are a lot of people out there who are pretty fed up with what has been going on with attacking the president and impeachment. I keep hearing that something is going to happen this week in terms of sending over the articles, and I don't know—I have a personal opinion that a lot of people don't agree with, I am sure. I don't think even the Speaker knows right now just what is going to happen. Are the articles going to come over? I think a lot of her far-left friends are saying: Yeah, let's go over there and let's continue this thing. Let's continue beating up the President. But she also has a bunch of her liberal friends who are saying: Look, the polls don't look too good. People are onto this. They realize that there is a problem. Maybe we shouldn't be sending them at all.

We will find out tomorrow. I understand there is a big Democratic meeting. I am not invited. There is one over in the House. They are going to make a determination, and we will all find out at that time what is going to happen to the Articles of Impeachment.

But again, Soleimani was a lawful military objective—one that President Trump took out under article II authority. More to the point, nobody is

talking about war. Nobody is calling for an invasion. Nobody is calling for a ramp-up. We all know what that looks like here, and it is very plainly not what is happening. An airstrike is not war. Defending American lives is not war. The President has made it clear that he does not desire war, which is why he has continued to call for negotiations with Iran to end the standoff, and that is the very thing some people are trying to take away from him. It is not just a constitutional right; it is a constitutional responsibility.

Nobody here wants war, but at the same time, nobody should want a policy that would leave Americans vulnerable to the whims of Iran's terrorist-supporting regime. If we do that, if we tie the President's hands so that he cannot defend American lives, we leave ourselves more vulnerable and therefore make war imminently more likely. That would be reckless.

I would just be anxious for this time period to get by so we don't have to be facing this on a daily basis.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Arkansas.

75TH ANNIVERSARY OF THE BATTLE OF THE BULGE

Mr. BOOZMAN. Mr. President, I rise today to recognize members of the Greatest Generation who courageously helped to defeat the German Army at the Battle of the Bulge and who dealt a critical blow to the Nazi regime.

On this day 75 years ago, American soldiers continued the resilience they had demonstrated for 4 weeks. On December 16, 1944, in the Ardennes Forest of the Luxembourg and Belgium area, American soldiers were unexpectedly attacked by the Germans. Allied forces were unprepared. They were outnumbered and facing record-low temperatures and dwindling supplies, but, still, the men on the frontlines dug in to defend against the enemy.

Arkansas Bill Strauss was one of the brave men who faced the bitter cold and dire conditions. With lack of sleep and shortage of food, he and his fellow troops endured this extreme test of will and resolve.

I met with Bill in 2019 to help him celebrate his 100th birthday and thanked him for his service and continued commitment to sharing his experiences with others. It has been 75 years, but Bill's recollection of the details of the unimaginable circumstances he faced was still very clear. He talks about his memories as part of the Battle of the Bulge in order to honor his fellow soldiers who weren't so fortunate, as well as to teach succeeding generations about the realities of war and the remarkable perseverance of American troops.

The 6-week battle demonstrated the commitment, courage, and resilience of Bill and all the American soldiers. It was the largest battle ever fought by the U.S. Army. British Prime Minister Winston Churchill called it "the greatest American battle of the war." It

came at a considerable cost. More than 89,000 American soldiers were casualties, including 19,000 soldiers who were killed, 47,500 who were wounded, and 23,000 who were captured or missing in action.

The people of Belgium and Luxembourg have a close place in their hearts for American soldiers who sacrificed their lives on foreign soil. They continue to display that gratitude today.

A couple of weeks ago, I led a group of my fellow Senators to both countries to commemorate the 75th anniversary of the Battle of the Bulge. We experienced how the town of Bastogne, Belgium, observes this anniversary. The tremendous community support was welcoming of American veterans whom fate had brought together in 1944 there in the town and in the nearby forest to defend Bastogne and hold off the German advance.

I was honored to visit with American veterans who fought in the battle and were returning to the land they had defended. There are fewer and fewer who are able to join, but that doesn't diminish what they did there or the steadfast way they fought and sacrificed in the name of freedom.

My colleagues and I also had the unique opportunity to witness the ceremony by the 101st Airborne Division among the foxholes in Belgium. These foxholes, once occupied by soldiers, including those from Easy Company, the heroes immortalized in the celebrated "The Band of Brothers" book and miniseries, remain preserved. They stand as a stark reminder of the bitter cold and inhospitable conditions our soldiers withstood for so many days. This solemn ceremony was a special way to remember those who had fought and to honor those whose lives were taken too early.

Following World War II, the Belgium people raised money to build a memorial to show their appreciation for the selfless sacrifice of Americans troops. The Mardasson Memorial was dedicated in 1950. The walls of the star-shaped structure commemorate the battle, paying tribute to the units that fought there and representing the States where those wounded or whose lives were lost hailed from.

This memorial is in need of repairs. That is why I support legislation that Senator TILLIS introduced that would let experts at the American Battle Monuments Commission oversee its restoration.

Maintaining this memorial is critical to making sure what the monument stands for: the service and the sacrifices made by Americans at the Battle of the Bulge, and that will continue to be remembered for generations to come. I encourage my colleagues to support this bill so future generations can reflect on the heroism and bravery of our troops.

We can be proud of the unwavering bravery of the American servicemembers and the Allied forces whose efforts defeated the German attack and led to the end of the Nazi regime.

It is fitting that we recognize the 75th anniversary of a battle that both shaped the future of combat and ushered in a new year of comity between Europe and the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, first, I thank the Senator from Arkansas for his wonderful remarks. We had a similar event in Rhode Island with veterans of the Battle of the Bulge who recounted their stories and who were celebrated by our State leaders, our adjutant general, and a crowd of admirers. It was a wonderful moment and a wonderful memory. So I thank him for calling it up on the Senate floor.

CLIMATE CHANGE

Mr. President, here we are in 2020, and I am still coming to the floor to try to wake this Chamber up to the perils of climate change—pathetic.

Why do I have to be doing another one of these speeches? Why don't we heed the warnings of our foremost scientists, of our military, of top financial institutions—heck, of our own home State universities? What does it take to get our attention around here?

Why is the fossil fuel industry's unlimited dark money still flooding our politics? Why are the biggest lobbying forces in Washington, like the U.S. Chamber of Commerce, rated as America's worst climate obstructors? Where are those trade group members who claim to support climate action when their own groups are leading the obstruction? What is going on?

Who around here is so cynical as to still take fossil fuel money and block climate action? In 2020, how is that a legitimate deal?

Who hasn't noticed the world spinning toward climate catastrophe—the forests burning, the seas rising, the ocean water acidifying, the glaciers melting? How can you miss that?

To the liars, the deniers, the con artists, and the stooges, I predict 2020 is going to be a bad year for you. The sand beneath your castle of lies is eroding fast. Now, 2019 was a tough year for you, and 2020 will be worse. We are going to bring down your castle of lies.

The fossil fuel industry campaign of obstruction hides behind an armada of phony front groups. In 2020, we will out you and your fossil fuel funding, too.

To big oil companies that pretend to want progress, while still using that climate denial and obstruction apparatus to attack the very progress you claim to want, we will out that truth. We will expose your two-facedness.

The fossil fuel industry spoons up the biggest subsidy in the history of the planet. The International Monetary Fund estimates their global subsidy in the trillions of dollars every year—globally. In the United States alone, the fossil fuel industry was subsidized to the tune of \$650 billion in 2015—the last year the IMF has calculated. We will out that massive subsidy and their dark money schemes to protect it.

The fossil fuel industry's biggest schemers against climate action in Congress are the big corporate trade associations. The worst two are the U.S. Chamber of Commerce and the National Association of Manufacturers. The watchdog InfluenceMap outed NAM and the chamber in a virtual tie as the two most obstructive forces on climate change in America. That is some prize.

The chamber works its evil in legislation, through regulatory action, in courts, in elections, even fighting State-level progress on carbon pollution.

The chamber funded the phony debunked report that President Trump used to disparage the Paris Agreement.

The chamber stooged for the fossil fuel industry for years and got away with it, but 2019 saw an end to that.

My colleagues and I took to social media, to op-ed pages, and to the Senate floor to out the chamber for its disgraceful record on climate change. We pushed on chamber members to demand change within the organization. We countered the chamber with amicus briefs, laying out its dirty history, when its evil little head popped up in climate lawsuits.

Senator WARREN and I lodged a complaint with the Clerk of the House and the Secretary of the Senate over the chamber's refusal to disclose who is behind its lobbying activities—disclosures, by the way, required by law.

Senators even got hashtag “ChamberofCarbon” trending on Twitter, and I made a little yearend visit to the chamber to make, for no charge, a little correction to their sign out front, so that it says “Welcome to the U.S. Chamber of Carbon.” So we have been after them.

By year's end, there were signs of discomfort over at the chamber. Up popped a post on its website that said that on climate “inaction is not an option.” Hell, for years, inaction had been their purpose. Now they say it is not an option.

The chamber formed a new internal climate change working group. The “Chamber of Carbon” even quietly posted that it reversed itself on the Paris Agreement and now was for staying in—OK, baby steps but in the right direction.

I think the chamber and NAM became America's two worst climate obstructors because they were paid with fossil fuel dark money, and in 2020 I intend to find that out. If the chamber is still taking fossil fuel money, it is hard to take those baby steps very seriously. They are probably just PR to placate the chamber members who are embarrassed that their organization got caught and outed as a top climate obstructor.

For that prize, by the way, chamber members have a lot to be embarrassed about. Allstate, MetLife, IBM, FedEx, Bayer, Ford Motor, United Airlines, Delta, American—they all funded and directed a top climate obstructor. Really?

Really? Did they know it? Did they know the chamber—their own organization—was secretly getting fossil fuel money to become a top climate obstructor?

If they did know, by God, they have got some explaining to do. If they did not know, what standard of governance makes it OK for a board member to not even know who is funding your organization? So, look out, board members. We are not letting that go either. The year 2020 is when we intend to get to the bottom of all of this nasty mess.

The real test for the chamber—not baby steps—will be whether it puts its back into passing a real comprehensive climate bill. Will the chamber stop scheming with climate denial organizations? Will the chamber stop opposing climate action candidates? Those are the tests. This, by the way, is not a PR test. It is not a PR test of how little you can get away with. This is a science test. It is a science test of how we keep our planet below 1.5 degrees Celsius, global warming. If we fail the science test, how well we did on the PR test is going to look pretty silly.

Help us meet that 1.5 degrees Celsius. We will be talking, gladly. I look forward to working with you. Until then, expect the pressure on you to rise in 2020.

We called out one other miscreant in 2019: Marathon Petroleum. This gasoline refiner orchestrated the Trump attack on fuel economy standards for automobiles. As I laid out in testimony in a House Oversight Subcommittee hearing last year, Marathon pressured Members of Congress, Governors, and the Trump administration. The corrupt Trump administration was only too eager to oblige, issuing an error-riddled proposal to freeze the fuel economy standards.

The Trump administration went after California's authority under the Clean Air Act to set fuel standards. Trump's DOJ cooked up a bogus anti-trust investigation, I believe, to punish the automakers that had worked with California to hammer out a separate deal on fuel economy standards that defeated Marathon's scheme.

It looks like the Trump administration also pressured automakers to support the administration's legal battle with California, and 2020 is the year I hope we expose all this.

In 2019, investors started noticing Marathon's bad behavior on climate. In fact, in September, 200 investors with \$6.5 trillion in assets under management sent a letter to 47 U.S. companies, including Marathon, to urge those companies to align their lobbying with the Paris Agreement 2 degrees Celsius climate goal and to warn that their lobbying against that goal is an investment risk.

Well, the four biggest shareholders in Marathon are BlackRock, JPMorgan, State Street, and Vanguard. They claim to care about climate. We will see, in 2020, if they keep condoning all this Marathon misbehavior.

Happily, there are some things the crooked fossil fuel industry apparatus can't stop. Even with its massive subsidy for fossil fuel, renewables are starting to win on price. New green energy technologies are powering up, like offshore wind and battery storage. Electric vehicles are driving cost down and performance up for consumers. Old coal plants are closing—546 since 2010. New coal plants are unfinanceable, and 2019 saw Murray Energy become the eighth coal company in a year to file for bankruptcy and the biggest drop in coal consumption ever.

Another trend the industry couldn't stop was economists, central bankers, Wall Street, real estate professionals, and asset managers waking up to the crash risks that climate change poses to the global economy. It is not just that it is wrecking our atmosphere and oceans and climate. Our economy stands on those pillars, and at some point there will be economic crashes.

Climate crash warnings used to be scarce. Now they are everywhere. Freddie Mac warns that rising sea levels will prompt a crash in coastal property values worse than the housing crash that caused the 2008 financial crisis.

First Street Foundation found that rising seas have already resulted in \$16 billion in lost property values in coastal homes from Maine to Mississippi.

Moody's warns that climate risk will trigger downgrades in coastal communities' bond ratings. BlackRock estimated that, by the end of the century, climate change will cause coastal communities annual losses that could average up to 15 percent of local GDP—average up to 15 percent of local GDP—with the hardest hit communities hit far worse. Look out, Florida. By the way, Louisiana is not too far from Florida.

The Bank of England, the Bank of France, the Bank of Canada, and the European Central Bank—backed by top-tier, peer-reviewed economic papers—are all warning of systemic economic risk—“systemic economic risk” is economist-speak for risk to the entire economy—from stranded fossil fuel assets, the so-called carbon asset bubble. On top of that, the Commodity Futures Trading Commission here in the United States has launched a climate risk review. Even the Trump Fed is starting to echo those warnings with reports out of local Federal Reserve banks.

It is not just big institutions that are grasping the risks of climate change. I visited Louisiana, Wyoming, and Colorado last year to hear about climate change and see what red- and purple-State Americans are doing about it. The answer is: plenty.

In Louisiana, sea level rise and subsidence are megathreats. I met a hunter and fisherman whose personal efforts to restore marshland have allowed his local delta wetlands to rebound from mismanagement. A scientist with the National Wildlife Federation counted over 30 species of birds

just while we were standing around waiting to board the boat.

The sights and sounds of a healthy marsh were an encouraging reminder of nature's ability to find a way to not only survive but to flourish if we give her a chance.

In Wyoming—well, don't get me wrong—climate change isn't always a popular subject. The State is basically run by the fossil fuel industry, but there I met a younger generation that really gets it. I will not forget the determination of leading winter sports athletes in Jackson fighting to preserve their winters; nor, in Lander, the impassioned argument for climate action from a young outdoor instructor from NOLS, National Outdoor Leadership School; nor, out at their campsite, the fire-lit, passionate faces of Central Wyoming College students on their way up to take glacier measurements, who well understand the stakes of climate change for their future and the future of the State they love.

Typically, these climate road trips that I do land me in States where the fight for climate change may need a little, say, boost. The opposite was true in Colorado. It is a State on a major climate winning streak: a State of good climate bills passed during the last legislative session; their biggest public utility transitioning to renewable energy, building impressive renewable energy and electric vehicle infrastructure; and leading research institutes bringing new renewable energy technologies to the marketplace.

The year 2019 also showed polling that showed climate action was becoming a top issue for American voters everywhere. A big part is young voters—and especially young Republicans. More than three-fourths of all millennials and a majority of millennial Republicans agree on the need for climate action. Last year, a Republican former Member of Congress wrote about climate change: My party will never earn the votes of millennials unless it gets serious about finding solutions.

It is not just younger voters. Americans of all ages and political stripes favor many of the solutions that scientists and economists say are needed to tackle climate change. An October 2019 Pew poll found that two-thirds of Americans believe the Federal Government needs to do more to combat climate change. The same poll showed 77 percent of Americans believe the United States ought to prioritize developing alternative energy over fossil fuels.

So the decades-long fossil fuel campaign of obstruction and lies and denial will not be tolerated much longer.

In New England, in the springtime, a moment comes when the roof of your house warms up enough to send the snow sliding down off the roof in a big whumpf. The snow may have piled up slowly, over weeks and months, but it comes down all at once in a whumpf.

The fossil fuel industry and its network of front groups and trade associa-

tions have spent years piling up their crooked apparatus of climate obstruction. Increasingly, their evil behavior is facing blowback from the public and from regulators and from investors. Alarm bells are ringing ever louder from all quarters about the economic risks.

Renewable energy and other green technologies are ever more cost competitive. Awareness of climate change dangers is ever growing among the American people. These are all signs that the thaw, the whumpf, is near, and 2020 could be the moment.

I know things in Washington can seem hopeless, but 2019 gave me some reasons to hope. For 2020, well, it is game on to tear down the crooked castle of climate denial and solve this problem while still we can.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MCSALLY). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 11 a.m. tomorrow, the Senate vote on the motions to invoke cloture on Executive Calendar Nos. 329, 462, and 525, in the order listed; further, that if cloture is invoked on the nominations, all postcloture time be expired at 5 p.m. tomorrow and the Senate vote on confirmation of the nominations with no intervening action or debate; finally, that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 554.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Paul J. Ray, of Tennessee, to be Ad-

ministrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Mitch McConnell, John Boozman, James M. Inhofe, John Barrasso, Roy Blunt, Todd Young, Shelley Moore Capito, Michael B. Enzi, Lisa Murkowski, John Cornyn, Steve Daines, Lindsey Graham, Chuck Grassley, Josh Hawley, Roger F. Wicker, Marsha Blackburn.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Ms. HARRIS. Madam President, I was absent but had I been present, I would have voted no on rollcall vote No. 416 the confirmation of Executive Calendar No. 465, Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida.

Madam President, I was absent but had I been present, I would have voted no on rollcall vote No. 417 the confirmation of Executive Calendar No. 466, Karen Spencer Marston, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Madam President, I was absent but had I been present, I would have voted no on rollcall vote No. 418 the confirmation of Executive Calendar No. 480, Daniel Mack Traynor, of North Dakota, to be United States District Judge for the District of North Dakota.

Madam President, I was absent but had I been present, I would have voted no on rollcall vote No. 419 the confirmation of Executive Calendar No. 481, Jodi W. Dishman, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.