

DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES WITHIN OR AGAINST VENEZUELA THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS—Motion to Discharge

Mr. KAINE. Mr. President, pursuant to section 601(b) of the International Security Assistance and Arms Control Act, I move to discharge the Committee on Foreign Relations from the further consideration of S.J. Res. 90, to direct the President to terminate the use of U.S. Armed Forces for hostilities within or against Venezuela, unless explicitly authorized by a declaration of war or specific authorization for use of military force.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

Motion to discharge from the Committee on Foreign Relations, S.J. Res. 90, a joint resolution to direct the removal of United States Armed Forces from hostilities within or against Venezuela that have not been authorized by Congress.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I will begin I think a few hours of floor speeches on S.J. Res. 90, and I appreciate the work of Leader THUNE and Leader SCHUMER in scheduling this matter for a vote today at 5 o'clock. I view it as a very important one.

The act that I just read, the International Security Assistance and Arms Control Export Act, is an act that allows a single Senator to file a privileged motion that can be heard on the floor of the Senate without intervening committee action under a simple majority threshold to address the most serious question that this body ever has to grapple with—the question of war.

The War Powers Act was passed in 1974, and it has a set of provisions in it. Those provisions include Presidential notification of Congress when there are military actions undertaken that meet the definition of “hostilities” within the act. And the President has notified us. President Trump, like other Presidents, has provided notice of military actions.

The particular statute allows this motion to be heard on the floor in a privileged status if two threshold questions are met: first, that there is no congressional authorization covering a proposed military action, and second, that military action is either ongoing or imminent, such that the motion should be heard.

The framers, in 1974, of this act clearly intended that Congress should be able to have a vote and debate on this matter even before the initiation of war so that Congress could be in a position to stop it before it begins.

So what I am offering, together with my cosponsors Senators SCHIFF and PAUL, is this resolution to try to make plain what the Constitution makes plain, and that is, no war without Con-

gress. We should not be in a war without Congress.

I have had the opportunity, as have some of my colleagues, to go into the classified facility here in the Senate and review the legal authorization document that the Trump administration has presented recently to the Senate concerning the military strikes against boats in the Caribbean and Pacific.

Now, I reviewed that in the SCIF, so I can't talk about the content of it. I would encourage all of my colleagues to go review it, because I basically believe there are three critical errors in that: one, a mistaken philosophy of Executive war powers that derives from a misquotation of constitutional-era documents that the Framers were using as they grappled with war powers questions; two, a domestic legal rationale for when the President can unilaterally wage war that is completely contrary to the Constitution; and three, an international legal rationale that I think most of the Members of this body would find to be quite a stretch if they review it.

But the one thing I can say is something that isn't in the document, and so I am not in any danger of revealing classified information. What is not in the document that is available for Senators to review is any—any—legal rationale that would suggest that U.S. military action against the sovereign nation of Venezuela or any sovereign nation is covered by the legal rationale in that document.

Just this morning, there has been public press suggesting that even the President recognizes that there is no legal rationale for such military action, again, absent congressional authorization.

Why are we bringing this to the floor? We are bringing it to the floor because of a set of actions. We have already discussed, in a resolution that was filed by my colleague Senator SCHIFF, a couple of weeks back, where we had a vote, the increased pace of military operations in the Caribbean and the Pacific, near Venezuela, and the justification that the White House has used for those often references to Venezuela.

So there is an ongoing and increasing pace of strikes against boats that are killing dozens of individuals. But with respect to additional actions that are specifically focused on Venezuela that enable this resolution to meet the imminence test under the War Powers Resolution, on October 15, 2025, President Trump confirms that he has authorized the CIA to conduct covert action in Venezuela.

Now, it is highly unusual for a President to publicly announce that he has authorized covert action. It almost immediately makes it noncovert once the President has announced it. But that has been widely, publicly disseminated, that the President has authorized covert action in Venezuela.

The next day, October 16, the President says, “We are certainly looking at

land now,” signifying the land invasion of Venezuela.

On October 24, there were multiple public reports—and this is underway—that the Pentagon has sent the *Gerald R. Ford* carrier strike group to U.S. SOUTHCOM to be positioned in and around Venezuela. You don't need a Ford-class carrier to interdict small drug boats. That is not what you use a carrier for. That direction of the *Ford*, which includes many Virginians who are positioned on the *Ford*, to SOUTHCOM is specifically to have it there, arrayed nearby Venezuela, in the event the President decides to start a war there.

Finally, on October 31, public reporting shows that many Trump administration officials have told the press that a secret list of targets in Venezuela has been drawn up. All of this, together with the increased pace of strikes in the Caribbean and Pacific, suggests that we are on the verge of something that should not happen without a debate and vote in Congress before the American people.

This is an indication of the current assets that are massed around Venezuela, the U.S. ships and aircraft massing off Venezuela. And this comes from a Washington Post report of November 1, 2025. The *Gerald R. Ford*, the largest and most modern aircraft carrier in the world, built at the Newport News shipyard in Virginia, is the lead. But the mass of other ships and submarines and special operations vehicles and aircraft platforms, both manned and unmanned, is significant.

Currently, about 10 percent of the U.S. Navy is arrayed around Venezuela. They have been pulled from every other theater in the world to array around Venezuela. This poses some significant risks to U.S. sailors.

Venezuela has very high-end weaponry that they have acquired from U.S. adversaries, primarily Russia and Iran, that could do significant damage to these U.S. assets and to our sailors and troops that are on these assets, particularly if Venezuela were to misread the impressions or the strategy of the United States or were there to be some kind of miscommunication. It would not at all be outside of historical precedent for Venezuela to use its own weapons if it believed it was subject to imminent attack, and that would pose the U.S. troops connected to these multiple platforms to significant danger. And that is what we should avoid.

Mr. President, here is my belief. There may be Members in this body who believe that we should be at war with Venezuela, just as there may be Members in this body who believe we should be at war with narcotraffickers in the Caribbean and the Pacific. And there is a simple solution for that which is consistent with the Constitution, and that solution is for U.S. Senators to draft up an authorization for use of military force and have the backbone to put their own names on it, if they believe a war is a good idea.

But the Framers of the Constitution firmly believed that we should not be at war—we should not be risking our troops who are on all these platforms right now, their life and their health—we should not be risking them without a debate and a vote in Congress. The Framers took this position in such an unusual way in 1787.

In all the other countries around the world, the ones they were familiar with, the initiation of war was a matter for the Executive. But the Framers of the Constitution—as I said before, even with George Washington as the President, a great military leader whom they revered—they said a decision about war is too important to put in the hands of one person. Thus, the initiation of war should be for the article I legislative branch, not the article II executive branch. That has been consistent constitutional language that is very unique.

Most nations still put the decisions about war in the hands of the Executive, not the legislative branch. I have been a stickler about this, whether the President has been a Democrat or Republican.

Interestingly enough, this issue came up yesterday, right across the street, in the Supreme Court, as the Court was hearing oral arguments on the case of *Learning Resources, Inc. v. Trump*, a case dealing with the question of whether tariffs could be imposed under the IEEPA statute that we spent some time discussing on the floor. The Solicitor General of the United States, Attorney Sauer, is not only the Nation's chief advocate before the Supreme Court; he was Donald Trump's personal lawyer. This is an individual who is very close to the President, both personally and now in a professional capacity. And he was making the argument that Congress had delegated a clear congressional power—the power to post tariffs, the power to tax—to the Executive.

One of the Justices, Donald Trump's appointee, Justice Gorsuch, was pressing on the question of whether Congress really can delegate specific congressional powers to the Executive or not. On page 68 of the transcript of the oral argument in the case, Justice Gorsuch was pressing this Solicitor General, Donald Trump's personal attorney:

What's the reason to accept the notion that Congress can hand off the power to declare war to the President?

The Solicitor General said:

Well, we don't contend that. Again, that would be . . . an abdication, not a delegation.

I stand here to urge my colleagues—and I have done this often during by 12½ years in the Senate—not to abdicate. Don't abdicate the power to declare war. Of all the powers given to the article I branch, this is the one that should be most jealously guarded.

The reason the Framers put this decision in the hands of Congress was because of a belief that we should not

risk the lives of our servicemembers unless there is a clear political consensus, as expressed by a vote in Congress, that the mission is worth it. If Congress is not willing to have a debate and say that the mission is worth it, then it is the height of—I would sort of call it—public immorality to nevertheless require people who are serving to risk their lives and their health.

The people who volunteer for the military volunteer knowing that it is going to be dangerous. They do sign up for that. But they ought to know, if they are ordered into a mission that involves military action, that there is a political consensus by the elected leadership of the country that that mission is worth it. And absent a debate and vote in Congress, we are ordering people to potentially risk their lives without having the courage ourselves to sign our name to that mission.

So I stand here with my cosponsors, Senator SCHIFF and Senator PAUL, to say we shouldn't be at war without Congress. Even President Trump, by public reporting today, suggests that he may not yet think he has a legal rationale for a war against Venezuela.

Let's not abdicate. Let's not abdicate the most important power we have. I would hope that all my colleagues—whatever they think about the virtues or vices of a war against Venezuela—would at least stand strong for the proposition that Congress should have the power and, indeed, the responsibility to have a debate and have a vote on it before we ordered our troops to risk their lives.

I yield the floor.

THE PRESIDING OFFICER. The Senator from California.

Mr. SCHIFF. Mr. President, I am proud to join my colleagues Senator Kaine and Senator Paul in introducing this War Powers Resolution that provides that we have not authorized the use of force against Venezuela.

We meet at a precarious moment, when we might be on the precipice of war with that country. Today, in the Caribbean or on its way to the region, are the following military assets: Three Arleigh Burke-class destroyers, the USS *Gravelly*, *Jason Dunham*, and *Sampson*; the USS *Lake Erie*, a Ticonderoga-class guided missile cruiser; the USS *Newport News*, a nuclear attack submarine with torpedoes and Tomahawks; the USS *Iwo Jima*, an amphibious assault ship equipped with a flight deck for F-35s, Ospreys, and attack helicopters; the MV *Ocean Trader*, a floating base designed for special operations; reaper drones, Harrier jets, and fifth generation fighters—incredibly lethal aircraft.

But this is not all. The largest aircraft carrier ever built, the USS *Gerald R. Ford* is on its way right now from the Mediterranean. This means we will see upward of an additional two dozen Super Hornets and two dozen additional F-35s. This warship will be accompanied by three additional destroyers, bringing at least 10 of America's

best naval warships within striking distance of Caracas.

All told, there will be more than 400 missiles and vertical launch systems on Nicolas Maduro's doorstep—115 Tomahawks alone, with an additional 70 coming with the *Ford*.

Are we supposed to believe that this is only about striking speed boats? If so, why would there be 10,000 American servicemembers in the vicinity? Why fly three B-52s from the United States to the region? Why have B-1 supersonic bombers flown off the coast of Venezuela in just the last few weeks for a so-called "bomber attack demonstration"?

That is not my definition of the mission. That is what the Pentagon called it. Bomber attack demonstrations for what—to blow up fishing vessels?

We all need to see that this has quickly become so much bigger and so much more dangerous. And maybe that was the point, to focus the narrative on drug trafficking so we don't recoil from what may be right around the corner with Venezuela, and that is the use of force to achieve the goal of regime change.

I understand the President, this weekend, said he was not "inclined" along those lines. But I urge my colleagues to look at the administration's actions and not merely its words, because if it walks like a military buildup and talks like a military buildup, it might just very well be a military buildup.

Two weeks ago, the President said:

We are certainly looking at land now, because we've got the sea very well under control.

And now we have the buildup I just described.

People may be putting a lot of stock into the President's most recent words saying he would not strike Venezuela when he was on "60 Minutes," on Sunday. When asked if the leader of Venezuela's days were numbered, he also answered: Yes, "I think so."

That is what our Commander in Chief said, with the largest warship the U.S. has sailing close to Venezuela. If any other world leader moved this kind of firepower to another country's doorstep, we know what we would believe was taking place.

The bottom line is this: Americans do not want another war. They don't want American servicemembers put into harm's way, either flying missions or with boots on the ground, for a war not authorized by Congress. Mothers and fathers of American sailors, marines, soldiers, and pilots do not want to lie awake at night wondering if their kids will be the ones who have to be deployed to yet another armed conflict, this time in South America.

Last month, we came to this body with a resolution to end the unlawful strikes that this administration had been taking against boats in international waters. We came up a few votes short. But while we remain concerned about those ongoing strikes,

this debate is about a different resolution. This resolution is tailor-written to stop one thing: a war with the nation of Venezuela. The Trump administration has not asked Congress to authorize such a war, but the administration appears to be laying the groundwork for one anyway. If they believe a war is necessary, let them come to Congress to make the case for one.

Maduro is a murderous dictator. He is an illegitimate leader in having overturned the last election by the use of military force. He is a bad actor. But I do not believe the American people want to go to war to topple this regime in the hopes that something better might follow.

If the administration feels differently, let them come to the Congress and make the case. Let them come before the American people and make the case. Let them seek an authorization to use force to get rid of Maduro. But let us not abdicate our responsibility. Let us vote to say no to war without our approval. We don't have to wait, nor should we wait for that war to begin before we vote. The War Powers Resolution very clearly and intentionally gives Congress the ability to prevent a President from going to war in the first place. The legislative history of the War Powers Act makes that abundantly clear.

My colleagues might object: Well, these aren't yet hostilities.

Yet people are already dying.

They might object: Well, this is not yet imminent.

Yet with the kind of military force being brought to the region, there is a danger to our sailors, our marines, and our soldiers, as Senator KAINE outlined, because if Venezuela believes we are on the precipice of war, they have the capability to take action against our ships. That clearly meets the definition of "imminent."

Our predecessors in Congress designed this law precisely to respond to the very type of military buildup that we see here and act in advance of the U.S. being dragged into another war without Congress's authorization.

We in this body serve our constituents, who have told us for years—now for decades—no more war, no more use of military force for regime change.

We must reassert our constitutional power, our duty to have the sole decision when American lives could be on the line, when war is on the line.

I share my colleague Senator KAINE's concerns in having read the opinion of the Office of Legal Counsel. Regardless of what people view of the merits of that opinion, what we are talking about here is a wholly other matter. What we are talking about here is potential war with Venezuela. What we are talking about here is a massive military and naval buildup in the region, where hostilities may be imminent under circumstances clearly contemplated by Congress when it passed the War Powers Resolution.

I have debated Senator KAINE whether this is our most important power—

that is, the power to declare war or to refuse to declare war—or whether it is the power of the purse. It may indeed be a bit of both in the sense that one way of cutting off a military campaign is by cutting off support for that military campaign.

We have already abdicated our power of the purse in this institution. Should we also abdicate our responsibility to declare war and allow the administration or any administration or any President to usurp that authority? It would be antithetical to what the Founders intended and what they wrote.

As the Founders wrote, the power was given to the legislative branch to declare war because the power to make war was something that an Executive might grow too fond of. So the power was given to Congress, to this legislative body. Let's use that power. Let's reassert our authority. Let's say through this resolution that if the President or the administration wants to go to war for the purpose of regime change or any other purpose, that it must come to Congress and make the case to us and to the American people.

I urge an "aye" vote on the resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

TRIBUTE TO MANUEL HEART

Mr. BENNET. Mr. President, today, I want to recognize the leadership of Manuel Heart, who retires tomorrow after 15 years as chairman of the Ute Mountain Ute Tribe and 27 years on Tribal Council.

For time immemorial, the Ute Mountain Ute Tribe has called the vast landscape of the Southwest home—the mountains, canyons, and rivers that have sustained the Weenuche people for countless generations.

Chairman Heart carried this legacy of stewardship throughout his career. As a young council member, he began a lifetime of service rooted in a deep love for his people and a reverence for their ancestral homeland. Over the decades, he grew into a statesman whose leadership reached far beyond Towaoc, inspiring both Tribal and non-Tribal leaders alike all across this Nation.

As chairman, he helped establish Bears Ears and Camp Hale National Monuments, elevated Tribal voices in the Colorado River Basin, and advocated for the protection of the Dolores River.

After generations of the unjust loss of their ancestral homelands, Chairman Heart led the efforts to secure full Federal trust status for the Tribe's Pinecrest Ranch, reclaiming a piece—a piece—of what was taken.

It has been a privilege to work alongside him, meeting in Towaoc and across the ancestral homeland of the Ute people, rafting the Colorado River to discuss water and climate policy, visiting cultural sites in the Dolores River Basin, and gathering along the Continental Divide to discuss how Camp Hale should tell the Ute story.

He regularly visited my office in Washington, DC. In 2021, I was proud to stand together at the White House to celebrate the restoration of the Bears Ears National Monument. When we introduced the Tribal Access to Clean Water Act, the chairman testified before the Senate Committee on Indian Affairs to remind Congress of the Federal Government's responsibility to ensure all of Indian Country has access to clean, reliable drinking water.

Chairman Heart also understood that the strength of a sovereign Tribal nation lies in the preservation and vitality of culture and language for future generations. He led the effort to create the Kwiyagat Community Academy, dedicated to teaching Ute history, language, and culture. Visiting the school with him was a profound reminder of his vision and dedication to his people and their cultural heritage.

Chairman Heart never let the United States forget its promises to Tribal nations and made sure that my office always included the voices of sovereign Tribes when we made decisions. He taught me what true government-to-government respect means. I remain deeply grateful for his friendship, his wisdom, and his example—for his brotherhood. His legacy reminds us that true leadership is measured not only in achievements but in the strength and hope it instills in generations to come.

Colorado and the United States owe Chairman Heart a profound gratitude for his decades of service. We also thank Marie, his wife, and their entire family.

Working with him has been one of the greatest honors of my life and of my time in the Senate, and I wish him well in his retirement as he enjoys well-deserved time with his loved ones.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

S.J. RES. 90

Mr. KIM. Mr. President, I rise today because since early September, Donald Trump has ordered our military to engage in 16 strikes in the Caribbean and in the eastern Pacific Ocean. Those strikes have killed more than 65 people. Each one of those strikes—each person killed—was done without the necessary legal basis or proper justification to this Congress and the American people. Now, amid a buildup of forces in the Caribbean, the administration is even reportedly considering action against Venezuela itself.

We are not powerless against this lawlessness. That is why I rise today in support of this resolution.

I rise because no President can unilaterally decide to use our military to target or kill anyone that they simply claim to be a threat.

I rise because if we do not hold this President accountable, we abdicate our responsibility to be a voice for the American people and instead embolden Trump to intensify this conflict.

I rise because these actions can quickly escalate into a conflict that

could destabilize the Western Hemisphere and would put the lives of American troops on the line.

I rise because as we see this President abuse the fundamental trust and purpose of our powerful military both abroad and here at home in our own cities, it is imperative that we push back against his relentless lawlessness.

I have seen this from my own perspective. Whether that was working as a State Department officer embedded with the military out in Afghanistan or in my work at the Pentagon or in my work at the National Security Council working to try to counter the terrorist group ISIS, I saw the importance of our being able to do that but doing it in a way that is in accordance with our own laws, to be able to both ensure unity as a government but also to ensure that our servicemembers who are fighting have the protections that they need, that they know that the entirety of our government leadership is behind them and that our country is with them. But that is not what we have right now.

The first step in fighting back against the lawlessness is understanding the importance of the War Powers Resolution.

In this very Chamber 53 years ago, Senator Javits, in debating the overturning of President Nixon's veto of the War Powers Resolution, called the power to bring America into war the "most awesome power in the possession of any sovereignty." This resolution, he said, is about ensuring the "broad representation of the people in the Congress a voice" in exercising that power.

Senator Javits reminded this Chamber in the wake of the Vietnam war that "wars cannot be successfully fought except with the consent of the people and with their support."

What we have seen is a President in Donald Trump who thinks he can use that awesome power against anyone he wants, anytime he wants. That is not what the law says, and it is not what our Founders intended. Our Founders intended for the people to have a say in when we commit our sons and daughters to harm's way.

Even in an emergency, the law requires the President to seek Congress's approval within a 60-day window to continue action. In this circumstance, that window closed on Monday with zero indication that this White House will stop taking military action even without having a clear, legal basis to continue.

They first recognized the legal parameters of the War Powers Resolution back in September, but now the administration is arguing that they are not bound by this law. They have changed their tune and are contradicting their own arguments in order to get around the law.

Of course, that won't stop them from pretending they have legal grounds and fabricating justification where none exists. You will hear them reference a

list that designates certain cartels as "terrorist groups," but the authority to pursue groups on this list provides absolutely no basis for the use of deadly force. Even worse, they still have provided zero proof of how they know the individuals they have targeted are linked to these cartels.

Trump is simply giving himself the power to designate and then to kill enemies without there being a proper legal review or transparency for the American people. That is not a power any President should have alone, and we cannot allow this to proceed under our watch. After all, it will not be Donald Trump who feels the consequences of further conflict; it will be military families and the American people. That is why decisions of war require deliberation, careful consideration, and a clear legal basis. That is why they require congressional authorization.

Through this resolution, we can uphold our responsibility to give voice to Americans on the safety of our troops and the security of our great Nation. We need to give that voice in this moment because this is a crisis that can spiral into a conflict and from a conflict into an all-out war.

While Trump tries to claim their targets are boats from Venezuela, in reality, reports show strikes have hit boats from Colombia and apparently those carrying citizens from other neighboring countries.

The administration has even admitted they don't know each individual identity of those targeted. To still execute legal strikes is a reckless and dangerous use of our powerful military.

As Trump considers expanding strikes to include land targets within Venezuela—that is what we are talking about, within Venezuela—we move further toward a war that would destabilize the entire region.

The American people don't want us to start a war within Venezuela, and their voices should be heard, not ignored by this President.

There is a final reason why I rise in support of this resolution because letting Donald Trump ignore the law abroad makes him think he has a free pass to do it right here at home.

Donald Trump thinks if he can do this in the Caribbean, he can do it on the streets of Chicago. He could use the military for his own political retribution and consolidation of power in and outside our borders.

After all, he said in his own words:

We're under invasion from within, no different than a foreign enemy but more difficult in many ways because they don't wear uniforms.

That is what the President said.

We cannot be complacent as he sends troops into our cities as a tool of intimidation against his political enemies.

As I close here, I just want to say that we know the American people are not blind to what Trump is doing. They know we are not powerless to stop it. It is time to step up and show them we

believe in the law; that we believe in the voices of the American people; that we believe in protecting our servicemembers; and that we won't stand idly by in the face of lawlessness.

I hope all of my colleagues join me in passing this resolution. It is our power. It is our duty. It is our responsibility.

I yield the floor.

The PRESIDING OFFICER (Mr. BUDD). The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, next week marks the anniversary of my Alive Day. That is the anniversary of the last day I ever woke up, laced up my boots, and climbed into my Black Hawk helicopter; the day when an RPG shot my helicopter out of the Iraqi sky; the day that I could have died; the day that I probably should have died but didn't, thanks to the courage of my buddies who risked their lives to save my own.

So I come here this afternoon, battle wounds and all, not because I am scared of war—I am not; been there, done that; got the t-shirt. Titanium legs don't buckle, by the way. What I am scared of, however, is that the United States is stumbling into an armed conflict because of a five-time draft dodger who is using our military to pretend to be a tough guy on the world stage.

What I am troubled by is that a man who was never brave enough to serve in uniform himself seems to care more about thumping his chest than keeping our troops out of danger. What I am worried about is that Donald Trump's obsession with making America great again is making Americans less safe again.

Two months ago, without even seeking congressional approval, the Trump administration began carrying out airstrikes against boats in international waters near Venezuela, claiming he was targeting fentanyl traffickers and drug cartels. Since then, without due process, dozens of people have been killed in these strikes.

What he is doing is un-American, unconstitutional, and downright dangerous—dangerous for our servicemembers whom he is placing at greater risk of retaliation, dangerous for Americans who should be afraid that Trump is using military might to kill people without due process or proper evidence, and dangerous for our democracy if we keep speeding down this path.

Bringing the force of the U.S. military down on drug traffickers is both ineffective and unwise, as drug trafficking is fundamentally a law enforcement matter, not a military one.

This is yet another instance of Donald Trump wildly abusing our military, trying to blur the lines between our servicemembers and law enforcement. We saw it when he sent the National Guard to intimidate peaceful protesters in Los Angeles or when he similarly threatened Chicago and Portland before he was stopped by the courts. We have even seen it in this Capital City, where I am speaking today, when

he forced troops to carry rifles around the quiet streets of our Nation's Capital.

Now we are witnessing it stretch from DC to the Caribbean Sea as Trump is, once again, unilaterally—and unconstitutionally—using our troops however he sees fit, rule of law be damned.

To put what he has done another way, the President has ordered repeated military strikes against civilians without congressional oversight, and he has claimed that such military action is justified because he himself, in his ultimate wisdom, has deemed these civilians to be criminals, which leaves us to ask: What is to stop him from arguing that anyone he dislikes deserves the same treatment? What is to stop him from naming any of his enemies as a terrorist, then unilaterally deciding to use the military to hunt them down without congressional consent?

To be clear, I will never ever support trafficking illegal drugs into this country. I believe we should use the might of law enforcement to track down drug traffickers, but that is not why we are here today.

Why I am here is to sound the alarm on the incredibly slippery slope that Donald Trump has set us careening down. Even if the administration can actually give us proof that those killed on board were all criminals, well, then they should have been apprehended by law enforcement and tried in the judicial system. That is how "law and order" works.

But Trump doesn't seem to care. In his world, he is a judge, jury, and executioner. In his mind, the justice system can be discarded at will. The military is his plaything, with fewer and fewer guardrails to keep the rest of us safe. He believes there are no checks on his power—no checks at all—other than the ones going into his own pockets, signed by his rich friends.

The United States exists today because a few brave patriots saw a tyrant who cared more about the gold in his coffers than the people in his colonies, and then our Founders decided to form a more perfect Union where enforceable guardrails would check executive greed. They pushed those chests of tea into Boston Harbor; they fought a revolution; they did the hard, messy work of forging a democracy because they knew that a man who believes he wields all the power but fears no consequences is a danger to those who fall under his rule.

While Donald Trump may be a wannabe King rather than a Monarch by blood or title, what was true then is true now: He doesn't seem to care that his strikes are clearly escalatory actions that will only harden our enemies, put our troops in greater danger, and our families at greater risk of retaliation.

He does not care that this campaign is draining military resources, hurting its readiness, and wasting untold sums of taxpayer money.

He probably isn't aware of the second- and third-order security consequences of his decisions. He probably doesn't even know that already, because of his decisions, a Marine Expeditionary Unit has been forced to relocate to SOUTHCOM, leaving our troops in Europe and the Middle East without the emergency support they rely on in worst case scenario moments, leaving our troops there hanging.

He just wants to look strong, and he doesn't care that, in the process, he is making our Nation weaker.

Look, I first ran for Congress so that when the drums of war started beating, I would be in a position to make sure that our Nation's leaders fully consider the true cost of war, not just in dollars and cents but in the sacrifices of our heroes and their families. Now, with those drums beginning to echo once more, I am here today to, once again, keep my promise because, sadly, worryingly, infuriatingly, Trump has already started a conflict and now seems intent on expanding it.

He has already threatened land strikes against Venezuela, with seemingly no concern over the fact that only Congress—this body, not the President—has the authority to declare war.

We are the ones tasked with deciding when and how we send our troops into combat. We are the ones the Constitution charged with that most solemn duty. And, today, we are the ones who must be the adults in the room because Trump is, yet again, acting like a toddler throwing a tantrum on a playground, acting as if obeying the law is optional, acting as if the Constitution is nothing more than a yellowing piece of paper that he can rip up at will.

Those are just some of the many, many reasons why, today, I am voting yes on the resolution to block the administration from continuing to illegally use military force within or against Venezuela.

This should not be a partisan issue. No matter if you are a factory worker pulling double shifts or the President of the United States, no one is above the law. No matter if you are struggling to pay rent or your name is plastered in fake gold on the front of a building on Fifth Avenue, no one can overrule the Constitution.

Listen, if the Trump administration actually believes there is an ongoing credible threat of armed conflict, then they must bring their case to Congress and give the American people a say through their elected representatives. They must respect our servicemembers enough to prove why war is worth turning more moms and dads into Gold Star parents. And they must testify about what the end state of these military operations would actually look like.

Then, when their case has been made, when Congress's debate is done, we should vote. After all, it is our duty. It is the least we owe to the warriors who deserve to know why we are putting them in harm's way.

On Veterans Day, I am sure we will see Donald Trump wrap himself in the flag in the morning, but you can be sure that he will have found a way to abandon our troops again by the afternoon because Trump has made a habit of giving our troops the middle finger.

Well, I am sure as hell not going to let him get away with that. So as many times as is necessary, I am going to keep coming back to this Chamber. I am going to keep raising my voice and keep demanding what is actually in our Nation's best interest because I don't make decisions of war and peace based on how tough I want to look on Truth Social.

As I celebrate my Alive Day next week, I am going to do my damndest to make sure other troops get to come home to their families too. It is just one small way I can honor those buddies who saved my life, every other veteran, and all those still in the uniform of our great Nation today.

If only this five-time draft dodger hadn't cried "bone spurs" when his Nation needed him the most, then maybe he would understand the first thing about what it means to actually honor those who serve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. WELCH. Mr. President, I strongly support this resolution.

I do want to say thank you to Senator KAINE.

Senator KAINE, I think I speak for you and I think I speak for every Member of the Senate: Senator from Illinois, you are wonderful.

It is so amazing what she did.

As an enlisted person in combat, the injuries you suffered, the devotion that you have to your fellow servicemembers, the indomitable spirit you have of solidarity with them, and then the credibility you bring to this discussion about the importance of the role of the legislature to make the decisions about whether you and your fellow citizens, the folks who made the decision to step forward and serve our country—whether we, as elected representatives, have the responsibility to make the decision whether they have to go into harm's way—you have inspired us every day.

If you are ordered to go, you go; you report for duty. The Commander in Chief makes the decision. But if it is about a decision to go to war, we, the U.S. Congress, have the obligation to make that decision. And nobody has more credibility in making that case than you do.

And both of you have already stated the factual predicate here that we are engaged in hostilities. We have 10 percent of our Navy out there. The President is saying that he is going to do land strikes and then changing his mind on it. But, you know what, he is also asserting what there is—that we all share as a real concern—and that is, any kind of drugs coming into this country, we are all appalled by it and want to do everything that we can to stop it.

But what is at stake here is the Constitution and the constitutional provision that the people who are elected and directly accountable—the House of Representatives and the Members of the U.S. Senate—who have to make that decision where we know, when it is made to go to war, there will be people like Senator DUCKWORTH, who say: I am ready. I am ready.

We have that responsibility. It can't be the arbitrary action of any single individual, including the President of the United States. So what is at stake here is preserving the accountability that has so weakened as the Congress itself has delegated so many of our responsibilities to the Chief Executive. It is a terrible development in our democracy where the checks and balances that were essential to the well-being of our country, with the tug-of-war that goes on in every generation about what is the right policy; the tug-of-war that goes on in every generation with competing efforts to get more power in either the judiciary, the executive, or the Congress; the checks and balances system that we have where a check we have, as U.S. Senators, is the right to make that decision whether the citizens of this country—the citizens that we serve—are going to be put in harm's way.

So we couldn't have a better advocate than a person who herself made that decision to stand up for America, to defend our country, put herself in harm's way, who inspires us every day with her incredibly positive attitude despite these incredible injuries that none of us—none of us can imagine what it is like.

You are so special.

It is amazing to be her colleague, isn't it? It really is.

But what you are speaking about is so profoundly moving to me because you understand better than any of us ever can how significant a decision it is to go to war. You experienced it. You have seen, as you call them, your "buddies" who have experienced it. You have paid a price yourself. You have seen the price that others have paid. You have seen the nobility and the patriotism of those folks who do serve us in the services, and you take really seriously the obligation that we have to make that profound decision on—yes or no—should we go into war.

So I want to thank you, and Senator KAINE, I want to thank you, because there is no more important thing for this Congress to do than to reassert its responsibility—to accept our responsibility for the powers that were delegated to the U.S. Congress, particularly about whether we do or don't go to war.

I so appreciate this resolution. I believe it is one of the most important acts that we can assert: to reestablish that we will defend the constitutional obligation—obligation—to bear the burden of making these very, very difficult decisions about whether this country goes to war.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, over the past 2 months, President Trump has ordered 16 airstrikes in the Caribbean and eastern Pacific, killing more than 65 people. His administration boasts that they are targeting drug-trafficking organizations. Yet Congress and the American people have received minimal information about the intelligence supporting these strikes, the legal framework governing these strikes, or the strategic objective they are meant to accomplish.

I want to be clear about something at the outset: I have spent years advocating for stronger action against drug cartels that poison our communities. I have consistently voted to provide law enforcement with the resources they need to dismantle these criminal networks. I have supported international cooperation to target these organizations at their source. And like everyone here, I recognize the cartels are a scourge and they must be confronted aggressively and dismantled thoroughly.

But that is not what is happening here. Let me begin with the most fundamental question: What is the operation actually meant to accomplish?

The administration has emphasized fentanyl as the primary justification for these strikes. Yet their own officials have acknowledged that cocaine is the predominant drug trafficked through these Caribbean routes. The fentanyl that is devastating American communities flows overwhelmingly through different routes. So what problem are we actually trying to solve?

And I think it should be obvious you cannot bomb your way out of a drug crisis. The demand that motivates drug trafficking is not found in the Caribbean. It is located in communities across America where people are suffering from addiction, where economic opportunity has dried up, where the social fabric has frayed. Military strikes do nothing to address those root causes.

Indeed, the significant budgetary attacks on Medicaid and other programs—health programs—will further undermine our attempts to control demand and to solve our drug problem. We have been down this road many times before in many parts of the world. We have seen what happens when military force is employed without clear objectives, without defined endpoints, without an honest assessment of what military power can and cannot achieve. The so-called "war on drugs" has been waged for decades. It has cost billions of dollars and countless lives, and it has not solved the problem.

As we expand this military operation in South and Central America, we have to ask: What does victory look like? How do we know when this mission is complete?

I know when many of us considered the Iraq war, I think many failed to

ask the fundamental question: What happens when we win? Because we won quickly and then found ourselves in a 20-year struggle throughout the region to maintain stability.

As I indicated before, more than 65 people have been killed across 16 strikes. Boats have been blown out of the water in videos released by the administration. But has the flow of fentanyl into America decreased? Has a single trafficking network been dismantled? The administration hasn't provided any evidence that these strikes are achieving anything beyond the destruction they document on camera.

This is not a strategy. This is violence without a strategic objective. The administration's legal justification shifts every week. First, they simply cited the President's article II authority and claimed that these cartels were terrorist organizations.

Then the President decided that America is in a "non-international armed conflict," which is a dubious claim. Now, Secretary Hegseth has begun calling these cartels "the Al Qaeda of the Western Hemisphere," and declared open season on them.

But he seems to have forgotten an important fact: After 9/11, Congress passed an authorization for the use of military force, or AUMF, to provide the legal basis for using military force against al-Qaida. By Secretary Hegseth's own logic, this current operation requires congressional authorization.

But there is a deeper problem with the administration's analogy to terrorism. Terrorists pursue political objectives. Cartels pursue profit and power. They are criminals, not ideological combatants waging war against the United States. If the White House truly believed that these are terrorist organizations and the Defense Secretary truly thinks Tren de Aragua compares to al-Qaida, the administration should come to Congress and request a AUMF. The fact that they haven't is revealing.

When the legal justification keeps changing, it means that there is no clear mission to begin with. And here is what troubles me the most: the administration's refusal to explain itself, both to Congress and the American people. It suggests that they know this operation does not hold up to scrutiny.

Chairman WICKER and I have sent multiple requests to Secretary Hegseth to submit the basic information Congress is legally entitled to: execute orders, legal justifications, and intelligence underpinning individual strikes.

The Pentagon has taken more than 2 months to provide only some of this information and has refused to answer simple questions regarding the very limited information that has been provided to date.

And this is not a partisan complaint. These are statutory requirements that are being ignored and noticed by both sides of the aisle.

The United Nations has stated that these strikes “violate international human rights law” and find “no justification in international law.” Legal experts across the political spectrum have been nearly unanimous in denouncing these operations as unlawful. Yet the administration’s response has been to withhold information rather than provide justification.

If this operation serves vital American interests, if it can achieve its stated objectives, and if it is legal under domestic and international law, then why won’t the administration defend it before Congress and the American people? The obfuscation suggests they don’t have genuine answers. The secrecy suggests they know this doesn’t make sense.

Now the situation grows more dangerous. The USS Gerald R. Ford, our largest and newest aircraft carrier, is headed to the Caribbean, bringing additional warships and thousands of sailors and marines. This is not a limited operation; this is a major military buildup. To what end? The administration will not say. Against what enemy? They won’t specify. For how long? They refuse to answer.

These operations risk destabilizing the region and provoking direct confrontation with Venezuela. We could be stumbling into another open-ended conflict without purpose or plan.

If the administration intends to escalate toward conflict with Venezuela, Congress has a constitutional duty to declare and authorize such action. We cannot sleepwalk into another war through incremental escalation while being kept in the dark.

To my Republican colleagues, I know many of you share concerns about endless American wars. I know many of you have questioned open-ended military commitments that lack clear strategic objectives. You have consistently opposed Executive overreach by previous Presidents in the manner of war.

These SOUTHCOM operations look like the beginning of exactly that kind of entanglement, and we are being asked to accept it on faith—without information, without debate, without authorization.

Which brings me to the matter of constitutional authority. The Constitution is unambiguous. Article I, section 8 vests the power to declare war in Congress, not in the executive branch. This was not an oversight by the Founders; it was a deliberate choice borne from hard experience with monarchs who could commit their nations to war by decree.

The War Powers Resolution exists to give meaning to that constitutional principle. It requires the President to consult with Congress before introducing forces into hostilities and to obtain authorization within 60 days.

The Trump administration delivered its war powers notification to Congress on September 4. The 60-day window to receive congressional authorization closed on Monday without approval

being rendered. A law-abiding administration would cease its operation, but the Trump administration continues on.

Incredibly, according to public reporting, the White House is apparently now arguing that these strikes don’t constitute “hostilities” under the War Powers Act because American servicemembers aren’t directly in harm’s way while operating standoff weapons and drones. This is ridiculous. Most importantly, it is an insult to the men and women who are risking their lives flying aircraft, operating ships and submarines, and conducting reconnaissance in the region. They are very much in harm’s way, and to say that this operation is so safe that it doesn’t qualify as “hostilities” is embarrassing. Also, it suggests, perhaps, the logic that these really aren’t military operations or hostilities; they are premeditated attacks to produce lethal effects on people who may or may not be drug dealers.

This new interpretation creates a dangerous precedent. If standoff weapons exempt military operations from congressional oversight, we have effectively granted the executive branch unlimited authority to wage war anywhere in the world so long as American forces can strike from a distance.

Does this mean that we can fire a long-range missile into another country because we are not in hostilities since there are no servicemembers directly in danger as we launch the missile from our territory? That logic does not hold up. That represents, indeed, a fundamental rewriting of our Constitution—not through amendment or legislation but through one man’s decision.

To my colleagues on the other side of the aisle, I ask you to consider what authority you would be comfortable granting to any President—not just this one but the next one and the one after that. The powers we recognize today will be exercised by future administrations. Constitutional principles should not bend with political convenience.

I believe that this is not a political debate; this is about the institution of Congress and the congressional and constitutional limits on Executive power. It is about insisting that before we commit American military forces to combat operations, before we take lives in America’s name, we must have clear legal authority, credible justification, and strategic coherence.

If this operation makes strategic sense, let the administration make that case to Congress and the American people. Let them provide the legal justification that they have withheld. Let them explain the endgame. What happens when we win? What does winning mean? What are the limits of this operation?

Let them show us how blowing up boats in the Caribbean solves what the President has repeatedly said—the fentanyl crisis in each and every one of our States. They have not done so, and

until they do, this operation does not deserve our support.

I urge my colleagues to hold the Trump administration accountable. The Constitution requires it. The American people deserve it. And we all have taken an oath to the Constitution, not the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I want to start where Senator REED, the distinguished ranking member of the Armed Services Committee left off, and that is with the U.S. Constitution, which should be the North Star for every Senator in this body, regardless of party, and that is why I rise in support of this bipartisan resolution, barring U.S. military action within or against Venezuela without congressional authorization.

I think it is always helpful just to read the words of some of these resolutions, and the one we are debating right now is S.J. Res. 90, a joint resolution to direct the removal of U.S. Armed Forces from hostilities within or against Venezuela that have not been authorized by Congress.

Pretty straightforward statement of what the Constitution requires because article I of the Constitution vests the responsibility to go to war explicitly and exclusively in Congress, not in one person in the Oval Office.

James Madison put it best in 1793 when he wrote:

In no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature, and not to the executive. . . . The trust and the temptation would be too great for any one man.

We are seeing Donald Trump succumb to the temptation in real time as he wantonly strikes boats in the Caribbean and Pacific: 16 strikes to date, 67 people killed, extrajudicial killings, no evidence to support their claims, and even if they were to provide evidence, still not a justification to engage the Armed Forces of the United States.

And now—and now—the Trump administration is threatening lethal operations against Maduro and the Maduro regime in Venezuela itself.

We all understand that the President has the authority to defend the United States from imminent attacks. That is an authority that this resolution clearly recognizes. But it is also crystal clear that there is no imminent attack or danger from Venezuela—zero.

Now, after illegally striking boats and killing people in international waters, President Trump is now threatening to start a war against a sovereign nation in our own hemisphere.

As my colleague and friend Senator Kaine pointed out earlier, the President has been taking this series of actions that are displayed on this chart.

On October 15, Trump confirmed that he authorized the CIA to conduct covert action in Venezuela.

October 16, Trump says:

We are certainly looking at land now.

Meaning not only using the Armed Forces of the United States to strike in the waters but on land in Venezuela.

October 24, Pentagon announces that the Gerald R. Ford carrier strike group has been directed to U.S. SOUTHCOM.

October 31, several Trump administration officials tell the press that a secret list of targets in Venezuela has been drawn up.

Headline in the New York Times: "Trump Weighs Options, and Risks, for Attacks on Venezuela."

Washington Post: "Trump beats the drums of war for direct action in Venezuela."

That is what people are discussing and contemplating, as we speak, within this administration, and it is not just this series of actions and comments that have surfaced, but the President of the United States has deployed lots of U.S. military assets to the region.

I am not going to go through all of these, but this is a massive deployment of U.S. naval power off the coast of Venezuela. In other words, President Trump is openly threatening a regime change war that could cost American and Venezuelan lives.

You know, I think we all agree. I think we all agree in this body that Maduro is a terrible dictator. He is a plague on his own people. But we have learned from history that bombs don't turn dictatorships into democracies. The American people, particularly our veterans who sacrificed so much in Afghanistan and Iraq, understand that lesson very clearly, as do the American people, because recent polling found that a majority of Americans would oppose a U.S. military invasion of Venezuela.

And the U.S. Navy deployment near Venezuela has become even less popular over the last month as the Trump administration's boat strikes and saber-rattling against Venezuela has intensified.

I want to take a moment to contrast this resolution regarding Venezuela with the one we considered recently in the Senate regarding applying the War Powers Resolution to the President's action, blowing up boats and people in international waters.

And I see my colleague Senator KAINE on the floor, and I want to thank him for bringing both these resolutions before the body.

But I wanted to mention the earlier resolution because, just earlier today, I read the Trump administration's so-called justification for the actions that they are taking in international waters to strike these boats that have killed 67 people. I have followed the War Powers debate for a very long time, as have many of my colleagues. What I read was 35 pages of pure gobbledygook, pure mumbo jumbo.

Clearly, a lawyer had to work really hard to justify a decision that had already been made. That is what that 35-plus-whatever-page report was, as my colleague Senator REED talked about,

to justify the actions that the President has been taking about going after boats in international waters. It requires such a strained reading of the war powers set out in the Constitution, and subsequently, that it would blow up a hole so big that it would essentially absorb the article I requirement that Congress be the one that declares war.

Based on my reading of that statement, there is zero justification for what the President is doing with respect to strikes in the Caribbean.

I do want to point out, as have my colleagues, if you are actually serious about preventing drugs from coming to the United States, as we all should be, the way you do it is you interdict those boats. You go up the chain to find the kingpins, and you go after them.

I will tell you what you don't do. You don't submit a budget to the U.S. Congress that cuts the funding for the Drug Enforcement Agency and cuts funding for the task forces we developed to go after major organized crime syndicates involved in the drug business.

I happen to be the ranking member of the Appropriations Committee that oversees the Justice Department. And all my colleagues have to do is take a look at the request from the President of the United States when it comes to resources for fighting drugs coming to the United States. They cut them. They cut those resources.

So that is not what this is about. What this is about is a violation of the Constitution. It was just a few months ago that President Trump was asked whether he needs to uphold the Constitution of the United States. I don't know if my colleagues remember what his answer was, but it is right there on the record for all of you to read it. The President said: "I don't know"—"I don't know."

Our job here is to make it clear to the President and to everybody else that all of us have to adhere to the Constitution of the United States, and that is what this War Powers Resolution does. We don't want to surrender those constitutional responsibilities to the President of the United States. We need to vote for this resolution, which, as I read at the very beginning of my remarks, is very clear. It simply says the President cannot go to war against Venezuela without congressional authorization.

Let me just end this with, we are here in the middle of a government shutdown. I have now voted seven times to reopen the government without giving President Trump a blank check and dealing with the healthcare crisis that is in front of us. President Trump has not engaged in any way in that discussion. He has been traveling around the world. He wanted to meet with Kim Jong Un, the North Korean leader, who apparently said no. He is using at least \$20 billion of U.S. taxpayer money to bail out his buddy in Argentina.

Meanwhile, here at home, prices are going up and up and up. The President promised he was going to bring them down on day one.

Right now before us, we have a ticking time bomb that is going to explode healthcare costs in America, especially when it comes to the Affordable Care Act. Our colleagues on the other side of the aisle passed what they called the Big Beautiful Bill—"beautiful" if you are a billionaire, because they extended the tax cuts for billionaires permanently. The one tax relief provision that they let lapse was that which helps middle-class Americans better afford their healthcare.

So the message all of us should send to the President of the United States is: Quit engaging in illegal actions in the Caribbean and international waters, blowing up boats and people in an extrajudicial fashion. And when it comes to Venezuela, stop making these threats and amassing military assets off the shore and claiming you somehow have the authority to do that.

The Constitution invests the authority to go to war with the U.S. Congress. That is what this resolution is all about. I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER (Mr. HUSTED). The Senator from Louisiana.

UNANIMOUS CONSENT REQUESTS

Mr. KENNEDY. Mr. President, this weekend, I watched, probably like you, a number of folks go on television and confidently predict that we were going to be out of the shutdown. Some said as early as Wednesday. One confidently predicted Thursday. A couple more said Friday. So when I came back on Monday, I was pretty sanguine about things.

It gives me no joy to say this, but I was wrong. I don't know. As bad as this multiple-vehicle pileup looks from the outside, you ought to see it from the inside. I know you know what I am talking about, Mr. President. The Republicans have voted 14 times to come out of the shutdown. My Democrat friends have voted 14 times to stay shut down. I think it is going to be like that for a while.

I used to have a beagle. I loved him to death. His name was Roger. He was a rascal. Roger would run off. He was a rabbit dog that we picked up as a stray. Roger would run off for 3 days and scare me to death. I was afraid he was going to die. After 3 days, he would come staggering back home, and he always had roadkill in his mouth. He would hide that roadkill under my back porch. Where we are now, in negotiating out of the shutdown, looks like something Roger used to hide under my back porch.

We are supposed to have a vote tomorrow. We don't know what we are voting on, but we have been promised we are going to have a vote. I hope we do. And I hope we are wrong, and I hope we come out of this shutdown very soon. But I am not going to lie to the

American people. I think we are going to be in it for a while.

Now, as everyone knows, folks aren't being paid while we are in a shutdown. Our air traffic controllers are not being paid. In fact, starting tomorrow, the airlines are going to be canceling flights. Our staffs are not being paid. Federal employees are not being paid. These young men and women here, our pages, are not being paid. Our military is only being partially paid.

I am confused about SNAP payments. Some say the payments are being made; some say they aren't. I don't know who is telling the truth. But I do know this: I don't think anybody wants to see anybody hungry in America.

The only people that I can ascertain who are being paid are Members of Congress. I am not being paid. I said I wasn't going to take a salary during the shutdown. Some of my colleagues are, and I am not judging anybody. My purpose is not to judge anybody. I am just saying that it is time that Congress set an example.

I have two bills I am going to offer up today. The first one is called the No Shutdown Paychecks to Politicians Act. This just says that while we are in a shutdown, Members of Congress don't get paid and they don't get backpay.

The second bill is entitled Withhold Member Pay During Shutdowns Act. That bill says that while we are in a shutdown, Members of Congress don't get paid, but they will get paid. They will get their money in arrears after we open the government back up.

I am rather fond of the Constitution, as most people are. I am well aware of the 27th amendment which says:

No law, varying the compensation for the service of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

What that means, of course, is you can't change the pay for a Congressman until after you have had an election.

I think my bills are constitutional for two reasons. No. 1, we are not changing the rate of compensation. We are just saying: You are in a shutdown; you are not going to get your money.

No. 2, there is precedent for this. Back in 2013, President Obama had Congress pass the No Budget, No Pay Act of 2013. President Obama's bill said: Look, Congress is about to go into a shutdown. Fine, have at it. Knock yourselves out. Go into a shutdown. But if you don't come out of that shutdown by this particular date, you are not going to get paid.

And do you know what? Members of Congress had an epiphany. They had a Damascene moment. They were born again. They got out of the shutdown in time to be paid.

I am not trying to put down anybody. I am not trying to condemn folks who have been taking their salary. I am not saying they don't earn every bit of it. But I am saying what is good for the goose is good for the gander.

I want to offer up these two bills for the Members' consideration, starting

with my first bill, which would say Members of Congress can't be paid and don't get backpay even after we end the shutdown. That is called the No Shutdown Paychecks to Politicians Act.

I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, that bill which I just described, which is at the desk. I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, I think it is time that instead of closing the government down further, we begin to open up government.

What I will offer is legislation that instead of closing government down further, begins to pay those who are working. It pays our soldiers, pays our air traffic controllers, pays everyone who is showing up for work. I think this should become a permanent feature of our government.

I think it is disruptive, I think it is unfair, and I think it is wrong that we don't pay the workers that show up. A better way than isolating different groups and punishing different groups is actually to pay those who are working. I think, if we do this, pass this legislation, this would never be a problem again.

We are going to run into disagreements in the future. We are going to have times when the government shuts down. There is no reason we shouldn't be paying our government workers.

I ask the Senator to modify his request, so, instead, the Senate proceed to the immediate consideration of Calendar No. 191, S. 3012; that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Will the Senator modify his request?

Mr. KENNEDY. I will not, Mr. President.

I would like to explain why.

I understand Senator PAUL is making a good point. What he is saying is, rather than saying, as I am, that nobody else is being paid so Members of Congress shouldn't be paid—I think what Senator PAUL is saying is let's pay everybody. That is what I understand him to be saying. He wants me to agree to that instead of my bill.

What Senator PAUL is proposing is Senator RON JOHNSON's "no shutdown" act that we voted on several times. I am for it. I voted for it several times.

Here is the problem I have with Senator PAUL's proposal, pulling down my bill and going with Senator JOHNSON's bill—several reasons. No. 1, I am interested in passing something. I am not interested in just putting on a show. My bill will pass the House of Representatives, and my bill will be signed by the President.

Senator PAUL's bill, I can assure you, will not pass the House of Representatives, and President Trump will not sign it. I am not saying someone is right or somebody is wrong. President Trump does not consider Senator PAUL to be part of his MAGA agenda, and he will veto it. Then we are right back to square one.

So, for that reason, I can't substitute his for mine because his is going to be as dead as fried chicken here in a few days, and mine has a chance to pass.

PARLIAMENTARY INQUIRY

Now, Mr. President, I need some clarification, a parliamentary inquiry, if you will: Do I understand that Senator PAUL has objected to my bill; is that correct?

The PRESIDING OFFICER. The Senator from Kentucky has asked if you would modify your request.

Mr. KENNEDY. And his modification, if I might ask, is to substitute his bill for mine?

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. KENNEDY. OK. I have said I will not substitute his bill for mine.

The PRESIDING OFFICER. Objection to the modification is heard.

Is there an objection to the original request?

The Senator from Kentucky.

Mr. PAUL. Mr. President, in reserving the right to object, I think it is actually not clear at all that the President wouldn't sign a bill to continue paying Federal workers. I think it is actually a universal sentiment among both parties and among the American people, particularly among the soldiers, that we ought to continue to pay the soldiers and continue to pay the workers.

I am, perhaps, the most conservative Member of the Senate. I vote to cut spending on everything—I think we spend way too much—but I am not for cutting the salaries of people who have a contract and who are doing their work. Now, I probably would not hire new people, and I would probably let the Federal Government shrink gradually through attrition because I think we need to be smaller, but if you work for the government and you are doing your job and you have a contract, I think you ought to be paid.

So I don't think it is clear that the President wouldn't support this. I think it is actually quite confusing that this is being objected to by the Democrats, and I think, actually, it would be nice to let the Democrats, you know, have a round at this and explain to us why they don't want to pay the air traffic controllers.

Look, we can have a dispute over spending. I think the Republican proposal spends too much, and I think the Democrat proposal spends too much, but I think we ought to pay the workers while we are working out the debate over what the spending level ought to be.

I think it is actually an untenable position of Democrats to come before

this body and say: Oh, we want to give subsidies to people who make \$225,000 a year. That is what they are arguing for. The ObamaCare subsidies are not the basic subsidies. These are add-on subsidies that started 2 years ago. If you make \$100,000 a year, the Democrats want to give you \$13,000. Meanwhile, people who make \$20,000 and are on food stamps are not going to get food stamps, but somebody making \$100,000 is going to get \$13,000. That doesn't sound like the Democrats are for the working class or for the poor. It sounds like the Democrats are for the people making \$200,000 a year to get a subsidy.

But in the midst of all this, with pressure, I think the Democrats could be made to understand and support paying the government workers. I mean, I just think it is something eminently reasonable, and I think it is something very passable. I don't see the President objecting to this. I think the President would sign this in a heartbeat.

So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, may I ask for a clarification?

I have offered a bill to say that Congress does not get paid like everybody else who is not being paid during a shutdown. There has been a little bit of a back-and-forth.

As I understand it, Senator PAUL has objected to that bill; is that correct?

The PRESIDING OFFICER. The Senator from Kentucky objected to your unanimous consent request.

Mr. KENNEDY. To my bill to say Congress isn't paid during a shutdown; is that correct?

The PRESIDING OFFICER. To the bill you asked unanimous consent to pass. He objected to the unanimous consent.

Mr. KENNEDY. Mr. President, I want to bring up my second bill. It is called the Withhold Member Pay During Shutdowns Act.

Remember, my first bill that Senator PAUL objected to would have said Members of Congress don't get paid, just like our staffs don't get paid, just like air traffic controllers don't get paid, just like the military doesn't get paid. We don't get paid until the shutdown is lifted, and we don't get our money in arrears. In other words, we don't recoup our money once the shutdown is lifted. Perhaps Senator PAUL will find my second bill to be more palatable to him and his pocketbook.

The Withhold Member Pay During Shutdowns Act would say, while we are in a shutdown and everyone else is not being paid, Congress would not be paid but that Members of Congress—including Senator PAUL, including me, including all Members of Congress—would have the right to get the money back, to be paid, after they are out of the shutdown. In other words, the money would be escrowed, and they

would get it once we were to come out of the shutdown.

Again, there is precedent for that, and I talked about what President Obama did back in 2013. For that reason, I am going to ask unanimous consent on that one.

I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 3057 and that the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, in reserving the right to object, I think the answer is to pay more people and not fewer people and to try to get through shutdowns without having people go without pay who are doing their jobs.

Now, the proposal was made, and I just simply made a proposal that would pay everybody. So the Senator from Louisiana has objected to paying everyone, and I don't quite understand this. We could pay everyone. We could have paid everyone had he agreed to my motion. My motion was to pay everyone—to pay the soldiers; to pay the air traffic controllers; to pay the staff; to pay everybody who is working. Yet there was an objection. So I don't understand what is going on here.

Should the emphasis be to pay fewer people or more people? Why would we try to punish certain groups of people instead of paying all of the people who are working? Why would we not do that?

So I don't understand the process we have gone through here. We just had a chance to pay all of the people. We had a chance to pay the air traffic controllers; we had a chance to pay the soldiers; we had a chance to pay all of the government workers—and then there was an objection. So I don't understand what we are going through here.

I, for one, believe that the workers should be paid. I, for one, believe that we should fix this permanently. The bill that I have presented is not just to pay them one time; it is to pay all workers all the time who are under contract and who show up for work whether there is a shutdown or not. It is a permanent payday for those who do their jobs. That was the fix. It is not a niche bill. It is not to punish one group or the other group. It is to say, if you are working and there is a disagreement on the spending levels, that all workers are paid. I don't understand the objection, and I will continue to support paying all the workers all the time they are at work whether there is a shutdown or not.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, a point of clarification: Has Senator

PAUL objected to my bill or does he want me to modify it?

The PRESIDING OFFICER. He objected to your bill.

Mr. KENNEDY. Mr. President, I am not done yet. Maybe I wasn't clear. I apologize if I wasn't clear.

I support RAND's bill. It is actually RON JOHNSON's bill, but I support his idea.

What I am saying is, if everybody over here isn't being paid, Members of Congress shouldn't be paid, OK? What RAND is saying—what Senator PAUL is saying—is let's pay everybody, and he is absolutely right. I support that, but I am going to pass on it.

I am going to pass on it, Senator DURBIN. We live in the real world, and my bill is more likely to pass the House and more likely to be signed by the President than Senator PAUL's bill. I wish that weren't the case, but it is. I don't think that the House is going to pass Senator PAUL's bill. I don't think it is any secret. I am not saying he is right or wrong, but President Trump does not consider Senator PAUL to be part of the MAGA agenda. He said that. He has tweeted it about a skillion times.

Am I wrong, Senator DURBIN?

I mean, he has tweeted it about a skillion times, and he is going to veto Senator PAUL's bill because his name is on it. He is going to knock it to Uranus. He is going to knock it into a new ZIP Code.

Then what have RAND and I done? We have put on a pretty performance. I want to pass something. Now, I have tried to pass my bill preventing Members of Congress from being paid, and you can pretty it up all you want to, but RAND objected. And I am not judging him. I am not judging anybody who is taking their salary. I am not taking mine, but I am not judging anybody. But what is good for the goose is good for the gander, and you either think Members of Congress ought to be treated like everybody else or you don't. You either think that we are more important and smarter and more virtuous than the American people or you don't, and I think we ought to be treated the same.

Now, having said that, I said I agreed with what Senator PAUL said. I am just worried his name on the bill is going to get knocked out of the park, so I am going to put it in my name. It is not Senator PAUL's bill; it is Senator RON JOHNSON's bill, and what RON JOHN's—we call him RON JOHN. I am sorry. He is Senator RON JOHNSON from the wonderful State of Wisconsin.

What Senator JOHNSON has proposed—and I voted for it repeatedly—says: Look, if you are deemed an essential employee right now, if you are working but you are not being paid, Senator JOHNSON's bill says we are going to pay you. I voted for that. It also says, if you are furloughed, if you are deemed to be nonessential, then you are not working, but you will get paid once we come out of this shutdown.

Does that make sense? That is what Senator RON JOHNSON has proposed.

As I told my good friend Senator PAUL, I agree with it. Senator PAUL's name is on that bill, and it is going to be vetoed six ways to Sunday. I am going to try to put my name on the bill. Maybe it will get passed, and maybe it won't, but I think I have a better chance than Senator PAUL. That is just my personal opinion. It is not meant to be personal.

For that reason, Mr. President, I will try it a third way. It is not my preferred way, but we have got to get out of this mess.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 191, S. 3012. As I have indicated, I think we have got a chance to pass it in the House, and I really don't think President Trump will veto it if I explain to him it is Senator RON JOHNSON's bill. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, in reserving the right to object, let me just say this: We should make sure that every Federal worker gets the paycheck that they are owed, and the right way to do that is for Republicans to finally join us and get serious about passing a bipartisan CR so we do reopen the government and prevent healthcare costs from exploding.

Instead, the bill that the Senator from Louisiana is asking unanimous consent for actually lets Donald Trump and Russ Vought decide whom they want to pay during a shutdown, and that will allow them to stiff everyone else. President Trump has said he will only pay the people he wants to.

He literally said:

[W]e're going to take care of our people. There are some people who really don't deserve to be taken care of, and we'll take care of them in a different way.

This bill would actually let Trump do exactly that.

We should make sure all of our workers get paid, not just the workers Trump likes. So the best way to do that is, of course, for Republicans to sit down with us, as Democrats, and work out a solution to reopen the government. If, instead, you do as the Senator from Louisiana suggests here, then, at a minimum, it should cover all employees, and that proposal is out on the table with Senator VAN HOLLEN and Senator PETERS.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, look, I get it. You know, this is why we are in a shutdown.

I just proposed a bill—this was my third choice, but it was better than nothing—to say everybody gets paid,

and my good friend from Washington State objected.

I don't know what else to do. I voted 14 times to open up the government.

I can't change the election. President Trump was duly elected President of the United States—he was—in a free election, and the American people spoke. Some of my colleagues are upset about that. In fact, they hate the President so much, they have shut down government. They hate him so much that, if President Trump came out in favor of breathing to live, they would hold their breath. It is not rational.

I just don't know what else to do. All I can tell my Democratic friends is: Look, reasonable people disagree, and I get it. But you are just being too emotional. You need to go drink a big ole, cold, tall glass of "get over it" and realize that President Trump is the President of the United States. Don't shut the government down because of it.

Mr. President, you have been really patient. Even though the Parliamentarian tried to get you to dodge my questions, you answered them straight up, and I really appreciate it.

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

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

S.J. RES. 90

Mr. PAUL. Mr. President, for decades, the globalists in Washington have led our country into one disastrous foreign war after another. Whether in Afghanistan, Iraq, Libya, Syria, and now potentially Venezuela, the formula is always the same: Proclaim that the regime of the targeted country poses such a threat to the American way of life that the only thing we can do is go to war. Tell them that our intervention is a noble effort, one that would bring security at home and liberty to foreign lands. Topple the government and declare a new age of freedom. The warmongers have recycled these experiments in regime change again and again. And what has it brought? Instability, chaos, suffering, and resentment.

It is the height of arrogance to think we can forcibly remove the dictatorship in Venezuela and expect a different result. We should learn from history. Liberty cannot be imposed at the point of a foreign bad act. The United States maintains the most formidable military in human history. Of course, we have the capability of overthrowing the Maduro regime, just like we had the power to overthrow Saddam Hussein and Muammar Qadhafi.

But what comes next? Is anyone thinking about the potential blowback that such a campaign could entail? Overthrowing the Maduro regime risks

creating more regional instability, not less. The breakdown of state authority may create a power vacuum that the very drug cartels the administration is ostensibly trying to destroy could exploit.

Just as our misguided interventions in the Middle East led to the proliferation of terrorist organizations, this could happen in Venezuela, but this time with the proliferation of organized crime. We could swell the ranks of the cartels with new recruits. Remember what happened in Iraq, the de-Baathification of Iraq. Removing all of the previous government soldiers, they had no place to go. They were used to being paid, they wanted money, and they went and worked and became terrorists.

Where do you think the tens of thousands of Venezuelan soldiers and desperate civilians will turn when their livelihood suddenly disappears? It may be the drug cartels. In its hubris, Washington may very well empower the cartels and make the drug problem in our hemisphere worse. Certainly, any war will exacerbate the already precarious humanitarian crisis in Venezuela and lead to mass migration into neighboring countries already struggling under the strain of millions of refugees. And rest assured, many of those who flee the disaster of the war that will come will make their way to the United States.

Most consequentially, any military operation comes with the risk that American servicemembers will be killed or wounded. We owe it to our servicemembers to only send them into harm's way when vital American interests are at stake. Who is in charge of Venezuela does not constitute such an interest.

We have seen chaos emerge from our misguided wars before. We overthrew Saddam Hussein thinking Iraq will be transformed into this great Jeffersonian democracy. Instead, what occurred was an insurgency that led to some of the most brutal sectarian violence in living memory. Washington's foolish invasion empowered radical jihadists and ultimately led to the rise of ISIS, which posed a much greater threat to Americans than Saddam Hussein ever did.

A similar story unfolded in Libya. In 2011, our forces aided the rebels to oust Muammar Qadhafi. The result was a brutal 6-year war that saw the proliferation of jihadist groups and widespread human rights violations, including the resurgence of slavery. Weapons were spread throughout Africa. Our intervention helped spur mass migration into Europe and contributed to widespread instability across Africa as weapons flowed from Libya into the Sahel and Sub-Saharan, where they continued to fuel conflicts and terrorism to this day.

Libya is still highly unstable, and the conflict constantly threatens to ignite. Like Saddam and Qadhafi, Maduro is unmistakably a dictator. He

is a bad guy. He suppresses freedom of speech. He controls his people. There is no free voting. He treats people poorly, and that is an understatement.

But there are a lot of bad guys in the world. There are a lot of dictators. There is a lot of socialism leading to starvation. It doesn't mean that the United States should carelessly risk its blood and treasure to go and topple every one of them. As we have seen all too well in recent decades, foreign military interventions often end up making things worse. The road to hell is paved with good intentions.

Imagine the anarchy that followed our wars in the Middle East. Do we really want to risk creating similar conditions in our own backyard? With over 10,000 U.S. troops, 8 warships, a Virginia-class submarine, and dozens of F-35s already in the Caribbean, the USS *Gerald Ford* strike group surging toward the region, the stage for folly is set. We are told that only drug dealers are the target of U.S. operations, but the consolidation of the largest U.S. force in the Caribbean in 35 years suggests that regime change may very well be the intended goal.

The use of lethal force and our massive military buildup is an invitation to retaliation. Attacked countries often attack back. It is our soldiers in the field of battle—not the Senators on this floor—who will bear the brunt of the retaliation. By then, the time for debate will have passed. The Senate will have once again excused itself from the responsibility of governing, and the United States will once again be at war.

Those who argue that small boats in the Caribbean are so dangerous that they warrant being blown out of the water must explain why, when some of the individuals happen to survive, they are not detained. The drugs are not scooped up and tested. The survivors are simply sent back to their country of origin. Wouldn't we ask whom they work for? Wouldn't we detain them? Wouldn't we present evidence to a court and say what should be done with these survivors? We summarily shoot them when we don't know who they are. But once we pick them up, we don't summarily kill them. We don't even try them.

The United States has now repatriated two survivors to Colombia and Ecuador. If, as we are told, these groups constitute a threat to our security equal to al-Qaida, that they are somehow narcoterrorists, then why are we allowing these individuals to go home? The truth is that these arguments are nonsensical. Drug traffickers aren't equivalent to al-Qaida, and the executive branch does not have the authority to kill at will anyone, anywhere, at any time, for any reason.

Repatriating survivors of the strikes suggest that the administration's lawyers are not so confident that their arguments about article II authority will survive legal scrutiny—or perhaps they are not confident that they could even bring drug convictions in a court.

In addition to the strategic malpractice of pursuing regime change in Venezuela, there is also the inconvenient fact that the President simply does not have the authority to unilaterally launch wars. The Founders had the foresight to recognize that the executive branch is the branch most prone to war, and they therefore made it clear in the Constitution that Congress maintains the exclusive power to declare war.

Part of President Trump's broad appeal was his strong contempt for the neocons on the right and the liberal internationalists on the left who never met a war they didn't want someone else's children to fight. He rightfully criticized those in Washington who supported nation-building fantasies throughout the Middle East; yet now certain individuals within the administration seek to lead the President astray.

I would advise President Trump to remember the wise words of his inaugural address, when President Trump said:

[W]e will measure our success by the wars we never get into.

President Trump, do not allow the warmongers in Washington to drag you into an unnecessary war of choice. Washington has spent decades, trillions of dollars, and thousands of lives trying to remake other countries in our image. The American people are sick and tired of their elected representatives in Congress standing idly by saying: Nothing to see here; the President can do whatever he wants, while their sons and daughters are sent to fight wars in distant lands.

As the administration authorizes covert CIA action in Venezuela and surges U.S. forces to the region, including our most advanced aircraft carrier, the risk of imminent involvement in hostilities is evident.

It is time that the first branch of government puts America first. The majority party of this institution should stand by the principles of restraint as espoused by President Trump's promise to the American people. Honor and statesmanship should prevent the Senate from sitting idly by while elements within his administration blunder America into another foreign war. The American soldiers, their families, and the American people deserve a debate and a vote before we send our Armed Forces into war.

If you agree that our soldiers and their families deserve at least this much, vote yes on this resolution.

The PRESIDING OFFICER. The Senator from Illinois.

ADDITIONAL COSPONSOR TO S.J. RES. 90

Mr. DURBIN. Mr. President, I want to thank Senator KAINE for S.J. Res. 90, and I ask unanimous consent to be added as a cosponsor.

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

S.J. RES. 90

Mr. DURBIN. Mr. President, we are here debating a central Constitution

precept, and I am glad. Throughout my career in the House and Senate, I have tried to be consistent on this issue and respect the Constitution and its wisdom.

I am going to say six words I very rarely, if ever, have said in my entire career in Congress: I agree with Senator RAND PAUL. I believe what he has said on the floor today is in fact the way I feel about what this section of the Constitution means.

In one of the previous debates with the War Powers Resolution, War Powers Act being debated on the floor, Senator KAINE reminded us of that historic moment when the Founding Fathers decided to write this Constitution, which we have all sworn to uphold and defend. And leading that Constitutional Convention, of course, was the greatest general then and still in the history of the United States: George Washington.

Despite the fact that he was in the room and leading the conversation about what Constitution would govern this country, article I, section 8 put in a provision that basically said, when it comes to a future war, even if you are President, General Washington, that Congress would have the power to decide whether we go to war. Senator KAINE made that point in an earlier debate, and I thought it was well worth repeating.

Let me say a word about Venezuela. In 2018, I had the opportunity to visit Venezuela—a once prosperous, albeit imperfect democracy, suffering terrible economic and political decline under the disgraceful and failed leadership of Nicolas Maduro.

I told then-President Maduro that if he rigged any upcoming elections, Venezuelans would be even more isolated and endure further unnecessary suffering. He went ahead with a sham election anyway, leading to even more cruelty and the exodus of literally millions of Venezuelans, some to the United States.

Last July, Venezuela held another Presidential election, during which the regime, the Maduro regime, arbitrarily blocked opposition candidates from the ballot and tried to undermine the preelectoral process. Nonetheless, more than 10 million Venezuelans showed up to vote, and results meticulously documented by credible election monitors showed a sweeping victory for opposition candidate Edmundo Gonzalez. Maduro and his criminal enablers again refused to respect the rules and shamelessly refused to swear in legitimately chosen President Gonzalez.

So let me make it clear: Nicolas Maduro is an illegitimate leader guilty of turning Venezuela into a failed state, one that has caused terrible suffering and misery for the people who live there. This is not the question at hand. As I have long said, it is long overdue that the result of last year's elections be respected in Venezuela.

But let me be clear on a position I have also held for a long time regardless of who has been in the White

House. Only Congress, under the Constitution, has the power to declare war. Article I, section 8 is clear on this issue—and for good reason. Only the people's elected representatives should have the awesome power to send our sons and daughters into armed conflict.

I remember thinking about this in personal terms during the era of the Vietnam war when I was a college student, thinking about the fact that there had not been any formal declaration of war in Vietnam, and yet over 40,000 of my brothers and sisters gave their lives in that conflict.

Our Founding Fathers were wise in this regard and well aware of human history in which Kings and unelected leaders sent their people into war for personal gain without any public consent.

Congress overwhelmingly reaffirmed this key constitutional provision when it passed the War Powers Act in 1973 over the veto of then-President Richard Nixon.

Under the law, the President has the authority to approve military attacks as a response to an imminent threat or with the expressed authorization of Congress. I do not believe these conditions have been met in this situation.

We in Congress have already ceded too much of our constitutional authority on appropriations and other key items to the President. This body must not do so regarding matters of war.

I think about the idea of a war breaking out between the United States and Venezuela. Certainly picking off unarmed boats in the ocean is an easy task for our great military. But let's keep in mind that we live in a world where there is asymmetric power. What am I talking about? Take a look at what the drones—many of them pretty cheap pieces of equipment—have wrought in countries like Ukraine in the midst of their war. What would turn out to be a mass of force by the United States sent down in the Caribbean—there is sure to be a show of force, maybe subject to attack even by Venezuela, poorly armed country that it is.

So I would say that if we are thinking clearly about this, we would think long and hard before we engaged in any conflict with Venezuela. That is what article I, section 8 is about. The American people, before being asked to give any sons and daughters and risk their lives in a war, have to have a voice in the process, and they do that through Members of Congress and through our Constitution. That is what Senator KAINE of Virginia reminds us of today. That is why I will support S.J. Res. 90.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I rise today to respond to Senator KAINE's S.J. Res. 90, and I would like to state clearly that the administration is very much opposed to this resolution, and they have put out a policy statement as of today stating that they strongly oppose S.J. Res. 90.

Without going into all the details, they say that S.J. Res. 90 fails to account for the extraordinary national security threat posed by transnational violent drug-trafficking cartels and narcoterrorists operating in and around the Caribbean Sea. That really says it all, and not much more needs to be said, but I do have a few comments on this.

President Trump has taken decisive action to protect thousands of Americans from lethal narcotics. He has kept drugs off the streets, kept children alive, and eliminated narcoterrorists who have been profiting off of the deaths of members of our communities.

These people have been transmitting drugs into the United States via a lot of different ways. One of them was by vessels, shipping vessels, in the Caribbean and the eastern Pacific Ocean.

But some Democrat Members and members of the media have claimed that President Trump does not have the authority to conduct these strikes. I will tell you right now, that is plain wrong. I myself and many of my colleagues have sat recently through hours of briefings and analysis by government legal departments and attorneys who have studied this issue. Unanimously, they have concluded that the action taken by President Trump is absolutely lawful.

As Commander in Chief, if the President sees a group of terrorists planning to harm America or our allies, he has the right—not only the right but the duty—to do something about it. He has taken an oath to protect this country, and I and the majority of my colleagues are glad the President took this action.

Now, for some reason which I don't understand, the people who oppose the President's actions somehow make a differentiation between drugs and explosives. If these were explosives that were on ships being brought to the United States by terrorist organizations to be distributed through the United States and kill and maim Americans, people would say nothing about it. These drugs are no different than that. They do the exact same thing: They kill people by the thousands in the United States.

President Trump is doing what needs to be done to protect the American people, just as he has done before. Take for example the recent defensive strikes against the Houthis in the Red Sea. This went on for some time. When the Houthis threatened the U.S. ships in the Red Sea, citing article II of the Constitution, the President took action to eliminate the terrorists threatening our troops and U.S. commercial shipping in the Red Sea.

These strikes are fully compliant with the War Powers Resolution and fully compliant with the President's article II constitutional authority as Commander in Chief of our Armed Forces.

Prior Presidents did not need nor did they seek congressional authorization

to defend America in this Western Hemisphere. Panama and Grenada are two examples where Republican Presidents also took action in our own backyard to go after threats to the American people.

These strikes have been discrete; they have been intermittent, with little risk, if any, to U.S. servicemen. No 60-day clock has been triggered, as many Democrats have tried to argue today.

I wish my colleagues would join me here today in congratulating the President for what he has done and thanking the President for what he has done on behalf of the many parents who will not have to bury their children early and will never know that they were saved from this.

But there is no doubt—none whatsoever—that every time we take a strike and we send tons of these poisonous drugs to the bottom of the ocean, thousands of American lives have been saved.

Mr. President, thank you for what you are doing on behalf of all those Americans who will be saved from these poisonous drugs. Thank you, and continue to do what you are doing.

Mr. President, I object to the resolution.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise for the closing comments about S.J. Res. 90. My colleague and friend from Idaho talked about strikes on boats. That is not what this is about. This is about the prospect, openly discussed by the President, for a land invasion of the sovereign nation of Venezuela. The President has not asserted a legal rationale for it. The documents that we read in the classified facility talk about a legal rationale for strikes in international waters but, specifically, do not contain a legal rationale for striking a sovereign nation.

This is not about President Trump. It is about the Constitution, and it is about Congress. Do we take seriously the most important responsibility in article I, that wars should not be declared without Congress?

Venezuela is a nation of 30 million people. They have a very capable military because they purchased weapons from our adversaries, like Russia and Iran. The massing of U.S. forces around Venezuela poses series risk of a miscommunication or a use of those weapons against Americans.

I might remind my colleagues that the United States attacked Grenada in 1983. Grenada was an island with a population of less than 100,000. Nineteen American soldiers died in that attack. One hundred fifty-two American soldiers were wounded in that attack. Twenty-four civilians who were at a mental hospital that was bombed by accident were killed in that attack.

An attack against a population poorly armed, without weapons, of 113,000 people caused 19 soldiers to lose their lives and 152 to be injured.

A Venezuela of 30 million people is a completely different kind of military operation, and we would not expect it to go perfectly because none ever go perfectly.

How will you respond to an American family who loses the life of a child or whose child is injured in the event of a war against Venezuela, when they ask you: Why did you not even think it was important enough to have a debate and vote in the U.S. Senate? Why did you let this President—why would you let any President—make that decision on his or her own without you even weighing in?

I will close with this. I have stood on this floor and made this same argument when the President is a Democrat. It happened often during President Obama's term, and I made the same argument against unilateral Executive war when the President was a Democrat, as I am now making when the President is a Republican.

I believe, as I stand here today, if these same facts were applying strikes on boats, massing of warships, the President saying he has authorized covert action, the President saying he has looked at land targets, and that President was Joe Biden or Barack Obama—I believe I would have many Republicans voting with me on this resolution, not because they don't like President Biden or President Obama but because they would take this responsibility, no war without Congress, that we pledge an oath to because it is in the Constitution we pledge an oath to—they would take it seriously.

I urge you to take this as seriously as you would take it if the President were a Democrat. It shouldn't matter. We should not be going to war without a vote of Congress. The lives of our troops are at stake. Respect them and their families, and please vote yes on the resolution.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. SCHUMER. Mr. President, first let me thank our great Senator from Virginia Senator Kaine. He has been the most vigilant watchdog against over-encroachment of the military. He has been the most rigorous watchdog in making sure Congress's power to make war and engage in acts of war are upheld.

There are many Presidents, as Senator Kaine pointed out, who try to push the boundaries, but no President has pushed the boundaries more than President Trump.

Americans need Kaine here to do just what he is doing.

Thank you, Senator Kaine.

I also want to thank Senator Paul and Senator Schiff for championing this resolution today because the Senate will vote to discharge a resolution that says two—two—simple things.

First, it affirms that the United States will always support our troops when they act to protect the American people and themselves from foreign attack.

But it also says that if Donald Trump wants to engage in military hostilities against Venezuela, he must seek authorization from Congress first.

As we speak, America's largest aircraft carrier, the *Gerald Ford*, is on its way to the Caribbean. It is part of the largest military buildup in our hemisphere that we have seen in decades.

According to press reports, Donald Trump is considering military action on Venezuelan territory. But it also sounds like nobody really knows what the plan is because, like so many other things with Donald Trump, he keeps changing his mind. Who knows what he will do tomorrow.

To date, we have heard no clear goals, no clear timetable, no clear explanation for what Donald Trump's objective is in Venezuela. This is unacceptable, and it is dangerous.

Even in our briefing with Secretary Rubio, yesterday, we walked out of the room with more questions than answers. We need a clear explanation.

I am demanding a full Senators' briefing on this issue of Venezuela and the intervention there, at once.

In the meantime, the Senate must act today to discharge this resolution because Donald Trump seems ready to lead our troops over the Rubicon with a blindfold over his eyes, and that is a recipe for catastrophe.

Congress must assert its authority on matters of war and peace, and time is of the essence. Multiple warships have been moved from other parts of the world to be just off the coast of Venezuela. By some estimates, 10 percent of the Navy's deployed assets are now in the Southern Command area of responsibility.

These actions certainly do not sound like mere drug enforcement against organized criminals—not even close. These are actions you take before you consider launching a major military operation against another country, and that authority—the Constitution is clear—must come from Congress.

Nobody here denies the Maduro regime is horrific and undemocratic, and we also agree drug traffickers and organized criminals who poison Americans ought to be tracked down and dismantled. That was why, when I was majority leader, Congress provided billions for counternarcotics operations and granted sweeping authorities to combat the flow of narcotics and opioids like fentanyl.

If we must do more, we should. We should help law enforcement, intelligence operators, and Federal agents to dismantle criminal networks and drug smugglers. But saber-rattling and military escalations are a poor substitute—a poor substitute—for a real counternarcotics strategy.

I ask my colleagues: Remember what Colin Powell used to say about military force? You break it; you own it.

It is the old Pottery Barn rule.

This is the danger of unilateral attacks against Venezuela. If we break it, we are going to own it. The mere

thought of another endless war ought to make the American people sick to their stomachs.

So, today, the Senate must act to uphold the Constitution, uphold our national security, and reaffirm the authority of Congress to have its proper say on matters in war and peace.

I yield the floor.

VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. The question is on agreeing to the motion to discharge.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 608 Leg.]

YEAS—49

Alsobrooks	Hirono	Rosen
Baldwin	Kaine	Sanders
Bennet	Kelly	Schatz
Blumenthal	Kim	Schiff
Blunt Rochester	King	Schumer
Booker	Klobuchar	Shaheen
Cantwell	Lujan	Slotkin
Coons	Markey	Smith
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gallego	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Paul	Wyden
Heinrich	Peters	
Hickenlooper	Reed	

NAYS—51

Banks	Fischer	Moody
Barrasso	Graham	Moran
Blackburn	Grassley	Moreno
Boozman	Hagerty	Mullin
Britt	Hawley	Ricketts
Budd	Hoeben	Risch
Capito	Husted	Rounds
Cassidy	Hyde-Smith	Schmitt
Collins	Johnson	Scott (FL)
Cornyn	Justice	Scott (SC)
Cotton	Kennedy	Sheehy
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tillis
Curtis	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	McCormick	Young

The motion was rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate be in 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.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale