

I hope we pass this act. I urge a "yes" vote, and I urge it quickly.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I thank Senator SHEEHY for those remarks. I think you are absolutely correct that Americans have no idea that some of their taxpayer dollars are actually winding up in the hands of terrorists.

I know there will be people who say: Oh, we can't do this because some money needs to go in there to help women, children, babies—that sort of thing.

What we have learned, if we have learned anything from what has happened in Gaza, is that when you have a terrorist organization that is in charge of a country, it is impossible to keep the money, food, or anything else that is sent in there out of the hands of terrorists.

If you see the terrorists on TV, they always look well fed. They are well armed. They are doing well. And, at the same time, the babies in the country are starving to death, and the same thing with the women and young children.

So with that, this legislation is designed exactly to do that, and that is, to keep every dollar out of the hands of these terrorists.

Mr. President, I ask unanimous consent that, as if in legislation session and notwithstanding rule XXII, the Committee on Foreign Relations be discharged from further consideration of H.R. 260 and 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 objection?

The Senator from Vermont.

Mr. WELCH. Mr. President, reserving the right to object, first of all, what is important for me to acknowledge is that Senator RISCH on the Foreign Relations Committee has done excellent work on making certain we don't get taxpayer dollars to the Taliban.

I also want to acknowledge my appreciation for the service of the Senator from Montana and his wife in protecting us against terrorist activity.

Let me explain why I object, because my objection is not for the purpose of keeping money out of the Taliban. That objective I support.

What I don't support is a bill that is written in a way where aid and humanitarian organizations that are spending money they raise to do work we support—and that is to protect women and children who are subject to the vicious conduct of the Taliban—that they will be cut off from being able to do their work.

The reality is, for some of these NGOs, if they have to pay an electric bill, then the bill, as drafted, would mean they are not able to do their work.

So when you have an aid organization that is dedicated to trying to help

girls and women from the oppression, who are from the Afghan people, who are the victims of the Taliban authoritarianism, and even paying an electric utility bill, even paying a water bill would mean that organization is shut down and can't do the good work that I believe the majority of us, if not all of us, in the Senate would support—because our concern is the well-being of the people of Afghanistan, and our objection is to the authoritarian and violent rule of the Taliban.

So this bill, as drafted, would interfere with legitimate work that would do good for the people in Afghanistan, especially women and girls, who are the victims of the Taliban. Our government is not sending money to the Taliban. That was discontinued under President Trump.

Our government is not sending money to American NGOs or NGOs in governments that are our allies. So what this bill is doing is trying to ensure that money that is sent to help Afghan women and children and other vulnerable people is not siphoned off to indirectly support the Taliban. That is a worthy objective, but it is overly broad in how it is written.

So it would literally mean that NGOs that are doing work that we support can't be done. And for that reason, I do object.

You know, we have got to keep in mind that the Taliban is our adversary, but there are over 3 million Afghans who have lost access to health services.

There are many Afghans who served with our military and to whom we owe a debt of gratitude. They saved, in many cases, the lives of men and women who served in the military. And among the people who have been the biggest advocates for the Afghan people, as opposed to the Taliban, are many of our brave soldiers who have served in Afghanistan.

So the objection here is based on how the bill is written, how it is overly broad and will have the effect of stopping good work that does good things for oppressed people. That is the reason that I want to assert my objection to this legislation.

VENEZUELA

Mr. President, while I am here, I do want to just make a comment on an issue that is going to come up, if I may, and that is this question of what is going on in Venezuela and the fact that there is going to be a potential effort on the part of President Trump to initiate military activity without congressional authorization.

The one point I want to make, which I think has to be on the minds of people who take a look at this, is that there is an assertion that there is military power to attack boats that intelligence says are carrying drugs to the United States.

On the one hand, even as on the other, the President is using the unique power vested in him and the Constitution to pardon one of the big-

gest drug dealers in the history of the world, and that is the former president of Honduras, Mr. Hernández. And I want to just note that glaring contradiction.

On the basis of the remarks I gave, although I acknowledge the intent in this bill from the Senate Foreign Affairs Committee, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 3344

Mr. MERKLEY. Mr. President, the heart of our Constitution is the separation of powers. The Founders, having just won their freedom from the tyranny of a King, were determined that the most profound responsibilities of government—whether to go to war and how to spend taxpayer dollars—would be decided by the people.

The Founders wanted the people's representatives in Congress, from all parts of the Nation, from all walks of life, to publicly debate and vote on these critical decisions. That is why article I, section 8, of this Constitution says:

Congress shall have the power . . . to declare war.

Not the courts, not the President, but Congress.

Yet, as we stand here in this Chamber, President Trump is preparing to launch a war—a war on Venezuela—without a declaration of war, without a congressional authorization, without a congressional appropriation of funds.

So I have come to the floor to reassert the constitutional role of Congress over this decision of going to war. This bill is cosponsored by Senators KAINE, VAN HOLLEN, ALSOBROOKS, WELCH, MARKEY, and SANDERS, and I appreciate their partnership. It prohibits the unauthorized use of the U.S. Armed Forces in hostilities with respect to Venezuela.

Certainly, Nicolas Maduro is a brutal dictator. His regime has a long history of abusing human rights and crushing political dissent. That is not in question. And that reality demands a consistent, principled foreign policy. But it does not give permission for any President to violate the Constitution of the United States of America that we are sworn to uphold when we come here to serve the American people as Senators.

Yet President Trump is still threatening these hostilities against Venezuela by deploying a massive force in the Caribbean. That military force reportedly, as of this moment, includes about 15,000 American troops, including 2,200 marines; 11 naval warships, including our largest aircraft carrier, the USS *Gerald R. Ford*, and its strike group. It includes amphibious assault vehicles and guided-missile cruisers and destroyers and a submarine.

The deployment includes fighter jets, surveillance drones, and patrol planes—many of which are based in nearby Puerto Rico where the United States has opened an old naval base for

this operation. The force includes gunships, helicopters, and bombers.

Military buildups like this take on a momentum of their own. A President may hesitate to disperse this buildup lest he look weak and indecisive and, thus, large buildups often result in launching the military action they foreshadowed.

My friends, wars are easy to start, but they are hard to end, and the consequences are often devastating. Look at the wars in Afghanistan and Iraq. Together, more than 7,000 American servicemembers gave their lives; more than 50,000 servicemembers seriously injured, often with devastating, life-long consequences; more than \$8 trillion in American treasure lost.

Launching another reckless war to depose an authoritarian leader in South America is not an "America First" strategy; and without congressional authorization, it is unconstitutional.

The prelude to this military action has been military strikes on boats off the coast of Venezuela. The administration has said they are acting to stop these boats from delivering narcotics. Well, there is a legal way to do that, and then there is an illegal way to do it. The legal way is for the Coast Guard to intercept the boats, to search them, arrest those present should narcotics be found. And the illegal way is to simply blow up boats in international waters.

The legal path is the right way to go. The Coast Guard makes arrests, which allow them to collect evidence and information for broader counternarcotics operations. Destroying boats and killing those aboard means no evidence or information that confers evidence of what was undertaken. Was it even a narcotics operation to begin with? It is either a war crime or it is a murder. It is a violation of our law; it is a violation of international law.

We have a stake in the structure of international law because we want our troops to be treated in a right manner, not to be executed when they are out of the action, lying wounded on a battlefield, not to be murdered, clinging to debris after their boat has been blown up. Our military forces don't summarily execute others because we don't want others to summarily execute our forces. That is the principle involved.

So the President's extraterritorial, extrajudicial killings in the Caribbean are terrible policy, terrible principles, and a terrible precedent.

We are in a bizarre moment—bizarre. President Trump, while saying he is trying to intercept drugs, just pardoned the kingpin who organized the narcotics superhighway that delivered 400 to 500 tons of cocaine to the United States of America. Juan Orlando Hernandez of Honduras, former President, convicted on overwhelming evidence of moving massive drugs to the United States of America was pardoned by President Trump. If you want to stop narcotics, you don't go around releas-

ing the kingpins who organized this devastating assault on our Nation.

On November 29, President Trump said that the Venezuelan airspace should be considered closed in its entirety, and commercial flights have been greatly reduced as a result. On December 2, Trump said the military strikes would "start very soon" and "we're going to start doing those strikes on land, too."

So we don't have a moment to waste to be here on the floor of the Senate defending the Constitution to ensure that the will of the people on issues of war are respected. If my colleagues want there to be a declaration of war, then bring that to the floor of the Senate because that is what the Constitution says. And let's debate that and let's see if there is a majority vote for that and let's send it over to the House of Representatives and see if they agree because we took an oath to the Constitution.

Thus, I have come to the floor to ask unanimous consent for the Senate to pass the Prohibiting Unauthorized Military Action in Venezuela Act.

Again, I thank my cosponsors—Senators Kaine, Van Hollen, Alsbrooks, Welch, Markey, and Sanders—who are stalwart defenders of the Constitution and the constitutional responsibility for Congress, not the President, to authorize war.

The bill prohibits any Federal funding from being used for the United States to wage war against Venezuela. To be clear, the bill does not prevent the United States from defending itself or its citizens against an armed attack. It does not prevent lawful counternarcotics operations. It does not prevent humanitarian assistance to the Venezuelan people, but it does protect and defend our Constitution's essential separation of powers.

So, Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 3344 and the Senate proceed to its immediate consideration; further, 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 Idaho.

Mr. RISCH. Mr. President, reserving the right to object.

I come here, like my colleague, to defend the Constitution of the United States of America.

Since George Washington was President and he had to deal with a Congress, every President has had to deal with a Congress or Members of Congress who really wanted to be the Commander in Chief of the Armed Forces of the United States. The Founding Fathers wisely said that that power should lie in the hands of the Commander in Chief, the President of the United States.

Over many, many years, Presidents have used military force to protect the United States of America. Indeed, they take an oath that they will do so. Not only do they have the right to do so, they have the duty to do so.

So what are we talking about here? Donald Trump has made the observation, as has every American, that we are losing tens of thousands of Americans, both young and old alike, to illegal drugs that are brought to this country by terrorist organizations mainly. As a result of that, we have done, as has been suggested, law enforcement activities within the United States, outside the United States. And we have picked away at it and picked away at it, and it simply has not been effective.

What Donald Trump decided to do was to take appropriate military action against an invasion. That invasion comes from those terrorists. They invade the United States of America with boats loaded with this poison. It is distributed around the United States, and it kills tens of thousands of people every year.

Now, let's assume that these terrorists, instead of using the drugs, were using explosives. If they loaded up one of these boats with explosives and it was headed for the United States of America and they had a distribution system in place, as they do for drugs, right now, and they were distributing these explosives around the United States and killed tens of thousands of people every year, there wouldn't be a peep from anyone about the use of force by the President of the United States to stop this. That is exactly what is going on here. There is no difference whatsoever.

The President of the United States has ordered the troops, when they determine that there is a boatload of these drugs headed for the United States, to sink the boat and put it on the bottom of the ocean.

Now, I am the senior Republican on the Intelligence Committee and, obviously in this setting, I can't tell you the method or the means, but I can tell you that we have absolute, total, 100 percent proof that every single one of those boats that went down was loaded with drugs.

So, as a result of that, the President of the United States has done good work so far in stemming the flow of these drugs to the United States.

I have told the President face to face: Thank you, Mr. President, for what you are doing, and I want to thank you on behalf of the parents who will not have to early bury one of their children because of the drugs that were coming into this country. Instead those drugs are lying at the bottom of the ocean.

Thank you, Mr. President, for what you did. Keep up the good work. Continue to stem the flow of these drugs coming into the United States. The President has the absolute right and, not only that, the absolute duty to do this.

If you don't think so, take him to court and sue him. That is what you need to do if you think that is what is right. There is no court in the world that is going to stop him from using the military might of the United States to protect the United States, which is exactly what he is doing here.

Based upon all that, I object.

The PRESIDING OFFICER (Mr. SCHMITT). The objection is noted. The Senator from Oregon.

Mr. MERKLEY. Would my colleague from Idaho yield for a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield?

Mr. RISCH. I will.

The PRESIDING OFFICER. He does.

Mr. MERKLEY. I do appreciate your yielding because too often we have very little debate about these issues.

My question is, if the President is trying to stop drugs from coming into the United States, why did he pardon the kingpin who built the cocaine superhighway that killed thousands of Americans?

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I agreed to respond to questions relating to this. There is nothing in this that has anything to do with pardoning or has anything to do with the other country that you are talking about. So I am not going to engage in debate on that issue.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Would my colleague yield for a more direct question to the bill at hand?

Mr. RISCH. Well, the last one wasn't very direct, but if the good Senator cares to have a direct question, I will be happy to do that.

The PRESIDING OFFICER. The Senator does yield.

Mr. MERKLEY. Well, I did think it was connected because you said the mission was to stop drugs from getting into the United States. So it seems inconsistent.

But if, in fact, there is so much evidence that these boats are moving drugs, why wouldn't it be advantageous to board them, to arrest them, to collect the evidence and the understanding of the broader drug operation, and why wouldn't it be valuable to show the American people the evidence?

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, Senator, first of all, that has been done over a number of years, and it has proven to be incredibly ineffectual.

I have had lengthy discussions with the Secretary of State, who obviously is a person who has been focused on this area of the globe for a long time. And he says that they consider this, the terrorist groups consider this a cost of doing business, that kind of a boarding or what have you.

But what has happened is, with those boats being sunk the way they are with

the people who are in the process of launching this attack on the United States being killed, that has drastically—drastically—lowered the number of boats that are coming to the United States loaded with drugs.

This is the most effective way to do it. Bless you, Mr. President, for doing it. Keep it up. Continue to put these drugs on the bottom of the ocean.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Thank you to my colleague for sharing your thoughts, at least a little bit of perspective on a difference of our opinions here, but I do appreciate your presenting your thoughts on this topic.

Obviously, I see this profoundly differently. Some of my colleagues are here who would like to speak to this issue. Before I yield to them, I will just say simply: There is no justification in international law for executing people on the high seas and then executing survivors clinging to debris. And there is certainly no clarity that there was evidence of the sort my colleague from Idaho suggested because it certainly hasn't been shown to the American people, and the setting the stage for this broader war on Venezuela because we are going to have a new policy, a new Monroe Doctrine on the United States simply taking the law into its own hands throughout Latin America, South America, regardless of international law, regardless of treaties, regardless of whether it is even an effective strategy, it is wrong on every level in terms of effectiveness, but it is certainly wrong when it comes to this Constitution of the United States of America.

I yield to my colleagues.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I thank my colleague Senator MERKLEY. I have spoken often on this matter on the floor the last few months, and I don't want to belabor a point that I previously made and that I am likely to make again next week when a War Powers Resolution is called forth. The timeliness of this is imminent. The news has just broken today that President Trump has ordered the seizure of an oil tanker—not a drug-running boat, but an oil tanker off the coast of Venezuela has been seized by the U.S. Coast Guard. Tensions are escalating, and the Senate is asleep on this matter.

I want to just ask this question: Why is this war different than all other wars? Why is this war different than all other wars? There are two significant differences that our colleagues need to grapple with. The first is the numerous warnings and indications from this floor but also from the U.S. military leadership and our allies that the war is illegal.

The chief legal advisor of Southern Command in August offered opinions before the boat strikes started in September that to do so without congress-

sional authorization was illegal. The head of Southern Command Admiral Holsey, a decorated 30-plus-year veteran of the Navy, an admiral who was 1 year into a 3-year tenure as leader of the Southern Command, was forced to retire prematurely, and the reporting is consistent that he was forced to retire because he raised questions about the legality of these strikes.

This is not just Democrats on the floor of the Senate questioning the legality of this military operation; it is U.S. military leadership, including high-ranking Pentagon officials who are jeopardizing their career to stand in support of their oath and defend the Constitution and being relieved of command as a result.

Our primary ally in the world, the United Kingdom, has stopped sharing intelligence with the United States on activities in the region because they do not want their intelligence to be used to carry out illegal strikes.

The aftermath of the slaughter of survivors clinging to a shipwreck in international waters has occasioned huge concerns in this country. I represent one of the most military States in the Nation. Many Virginians are deployed on the carrier strike group in the Caribbean, and their families are asking us about the legality of the mission, how long it will last, what is it designed to accomplish, and they are also asking about why the United States, with a human rights ethos, would be proudly slaughtering survivors on the open seas.

The President has said that video could be available to all. Indeed, the President has made the video of the strike available on his social media account, bragging about it, patting himself on the back about it, but now that we are asking for the full video—not just the first strike but the second strike as well where survivors were slaughtered—suddenly, the Secretary of Defense is walking it back and saying: We need to protect our sources and methods.

You need to protect your sources and methods when you have been turning it into a TV commercial, a social media commercial showing the world about what a tough guy you are. If you are a tough guy and you think you are proud of this, then let the American people see the entire video. Let them watch struggling survivors struck on the high seas in contravention of American and international laws of war.

That is the first reason this war is different from all other wars. The questions raised about their legality are a drumbeat that will not be denied or suppressed.

And the second reason, and then I will hand it to my other colleagues, that this war is different than all other wars is, with all of that that I have shared with you and so much more that I would like to share with you that I can't because what I know I know from being in a classified setting—get this, in the Senate of the United States, the

greatest deliberative body in the world, 95 days into a war, has the Senate Armed Services Committee held a single public hearing about this war? Has the Senate Foreign Relations Committee held a single public hearing about this war?

This war is different than all others because at 95 days and counting, 90 people killed, dozens of military strikes, seizing an oil tanker just a few hours ago, the principal committees in this body and in the House charged constitutionally with oversight over matters of war have been hiding their heads in the sand afraid to put on the table publicly before the American public what is at stake and the legal rationale.

If you are doing something you are proud of, you wouldn't need to hide it. If you are doing something you are proud of, you would be glad to have committee hearings and share the story with the American public.

The refusal of this body to take this matter up in any meaningful public forum and to shackle Members of the Senate who know a lot, but we cannot discuss it because all we know we know from classified settings, is a demonstration that this administration knows—knows—that public scrutiny would make the American public ashamed of what is going on.

We need to make this public; we need to have this debate; and we need the American public to understand what is at stake.

And with that, I applaud my colleague for what he has introduced, and I would like to yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I want to start by thanking my colleague Senator MERKLEY for bringing this resolution before the Senate and Senator KAINE and colleagues for focusing on this question of war and peace.

This is a very simple resolution. It says that no U.S. taxpayer dollars should be spent to go to war against Venezuela absent congressional authorization.

I just heard the chairman of the Senate Foreign Relations Committee say to the Senate: If you are opposed to this, go to court. Last time I checked the Constitution of the United States, it gives Congress, this body, the power to decide questions of war or peace, which is exactly why this resolution is before us saying that we shall not spend taxpayer dollars going to war against Venezuela unless the Congress invokes that awesome power.

Now, I know the President of the United States, when he was asked a couple months ago whether he had to comply with the Constitution, he said: "I don't know."

Well, I would hope our colleagues on both sides of the aisle here in the U.S. Senate would recognize that the President has to comply with the Constitu-

tion, and we should fulfill our constitutional responsibilities as well and not run away from them.

President Trump is bringing us to the brink of war, a regime change war in our hemisphere, and we are running out of time to stop it. We know the President has already authorized the CIA to conduct operations in Venezuela. We know that we are witnessing the largest naval buildup in the Caribbean in decades. We know, as Senator KAINE just mentioned, that today the United States intercepted a Venezuelan oil tanker bound for Cuba, and we know that for weeks and weeks now the Trump administration has been striking boats in international waters, killing more than 80 people.

Now, the President claims to be going after so-called narcoterrorists, but this operation they are conducting is not about drugs. All of us in the Senate want to make sure we address the scourge of drugs in the United States of America, but that is just a cover story presented by the President of the United States because if the President really cared about addressing illegal drugs, he wouldn't have proposed deep cuts to the DEA, the Drug Enforcement Agency, nor would he have proposed to shutter entirely the Organized Crime Drug Enforcement Task Force.

I serve on the Appropriations Committee. I am the ranking Member of the subcommittee that oversees the Justice Department and some of these operations. The President's budget cuts our investment in those antidrug operations. If they cared about actually reducing the flow of drugs to the United States, the President would not have just pardoned the former Honduran President, who was convicted of drug trafficking and sentenced to 45 years in Federal prison.

If you want to send a message that we don't want illegal drugs coming into the country, why would you pardon the person who was convicted of doing exactly that? That simply sends a green light to others to go ahead. And, in fact, just this week we learned that President Trump had pardoned a Baltimore drug kingpin. This is somebody whom the DEA called "one of the largest cocaine and heroin dealers to be arrested by the DEA in recent history." President Trump just pardoned him.

So don't tell me, President Trump, that this is about drugs. In fact, we also know that fentanyl, which is primarily fueling the drug overdose deaths in America, is not originating or transiting through Venezuela, that fentanyl is typically manufactured in Mexico, with precursors from China.

It is true that Venezuela has become a source of cocaine, but even that is mainly bound for destinations in Europe and West Africa.

So that is not what this is about. This is about their efforts to engage in regime change.

Look, the Trump administration has concocted this fanciful legal theory

that it is engaged in an armed military conflict with these drug boats and drug runners. In fact, we have seen, as my colleagues say, the President of the United States releasing these videos where they are blowing up these drug boats and killing people as if they are engaged in a military conflict with the U.S. Navy. That simply is not true. They are engaged in criminal activity, but their purpose is not to engage the United States militarily—far from it.

I would just ask my colleagues how we would react if another country began bombing boats with U.S. citizens on them and then claiming that those boats were being used by U.S. citizens to transport drugs. Even if that were the truth, what would we say if the other country claimed that they would be at war with those American citizens? I think we would see it as a hostile act. I know that we would.

Now, even if you take the Trump administration's framing here—which is that we are engaged in a military conflict—then it is a fact that the video, which has been well reported, indicates that some of the survivors of the first attack on September 2 were seeking help.

Here is what Congressman ADAM SMITH, the top Democrat on the House Armed Services Committee, had to say about those survivors: that they were "basically two shirtless people clinging to the bow of a capsized and inoperable boat drifting in the water until the missiles come and kill them."

So, as my colleague said, if Donald Trump has nothing to hide here, he should provide the full videos to the Congress and to the American people.

That would be a war crime only if you take the framework presented by the Trump administration, which is that we are at war with these boats. But we are not. And what that means is that these are simply extrajudicial killings, just killing people on the high seas. What that means is that this is simply state-sanctioned murder of these individuals. And that is why it is very important for the Congress to exercise its oversight responsibilities.

But I want to close by making a more simple point about the resolution that Senator MERKLEY has introduced here. Even if you for some reason agree with President Trump with respect to the drug boats despite their fanciful legal theories, what this resolution says is: Don't spend taxpayer dollars to take military action against Venezuela.

There is no argument that a U.S. attack on Venezuela doesn't constitute an act of war—an act of war that does come under the jurisdiction of this Senate under the Constitution of the United States.

Now, all of us would like to see a different leader in Venezuela. Maduro is an authoritarian. He is a dictator. He is not a legitimate President. But that doesn't mean that we go after every leader who is not legitimately elected by the people of their country. In fact,

this President is cozying up to dictators and authoritarians all over the world. In fact, if you just read their National security strategy that came out last Friday, you will see it completely abandons the idea that the United States will stand up to dictators and authoritarians, abandons the idea that we stand up for democracy and freedom and human rights and the rule of law. It is a document that actually green lights cozying up to people like Maduro.

So what they are doing is using the American military in an attempt of outright regime change. And I just read the words of James Madison, who really put it best back 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 . . . temptation would be too great for any one man.

As I said earlier, Donald Trump has been asked directly whether he has to comply with the Constitution of the United States, and he said he doesn't know.

It is our obligation to uphold our duties under the Constitution of the United States. That is what Senator MERKLEY's resolution does. It says we shouldn't be spending any of our country's precious resources on going to war against Venezuela unless this Congress undertakes its responsibility and were to decide to declare war.

In my view, going to war against Venezuela is a very bad idea. Let us not simply slide into it through negligence. That is what we are trying to avoid through this resolution.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—S. 3380

Mr. MARSHALL. Mr. President, healthcare is in a crisis. What Republicans want to do is put patients in charge, not insurance companies. But the first thing we need to do to fix ObamaCare is to address the fraud in ObamaCare. If we can't agree on this, I don't know how we can possibly begin to fix ObamaCare.

I refer everyone to the recent week's Government Accounting Office report. They show people enrolled without consent, subsidies flowing from the Federal Government to insurance companies from people who don't even know they are enrolled in ObamaCare. They show that there were toddlers enrolled in ObamaCare. They demonstrated 58,000 dead people who were enrolled in ObamaCare, each of them having premiums sent to insurance companies on their dead body's behalf for some 9 months on average. We saw one Social Security number being used over and over again.

In fact, over a third of the people on ObamaCare didn't file a claim. Now, I am not saying that all those people are fraudulent. In a group of otherwise healthy folks, maybe 20 percent of peo-

ple don't file a claim. But from 2021 to 2024, we saw that the number of people not filing a claim went from 19 percent to 35 percent, and that is when the enhanced subsidies kicked in, and therefore many people had zero premiums, so the Federal Government was paying their entire premium.

Again, we think that this report demonstrates billions of dollars of fraud, very often estimated at some \$25 billion. That is why we introduced our bill, S. 3380, the ACA Marketplace Integrity Act, to stop the fraud. Who could be against that? Who could be against stopping the fraud?

Our solution—I think it is pretty simple.

First of all, mandatory identification verification for enrollment. Look, you can't get on an airplane, you can't get a hotel room, you can't rent a car without an ID. So let's verify identification. That is going to help decrease the fraud.

Secondly, we are asking for a minimal monthly payment from everybody involved in ObamaCare. We are asking for \$5—the cost of a Big Mac, maybe a Big Mac meal. For \$5—we are asking people to contribute to their own healthcare insurance, and we don't think that is too much to ask.

How is that going to prevent fraud? Well, look, if you are seeing \$5 taken out of your paycheck or your bank account or charged to your debit card every month, you are going to sit there and say: Huh, where is that coming from? And if you contact the person where that debit is going to, then you are going to find out, oh, it is an insurance company.

I know we have all had something similar to that happen to us where we signed up for some type of streaming service years ago, and you can't get it off your credit card, but it just keeps recurring.

So what we are asking for is a minimum monthly payment of \$5 from everybody on ObamaCare.

Now, my friends across the aisle are going to say that eliminating the zero-dollar premium will prevent people from getting a plan and that it is a trap to dismantle the ACA.

Look, I am not trying to dismantle the ACA; I am trying to fix it. I am trying to fix it for the folks who have seen their premiums more than double, people whose deductibles went from \$1,000 a year to \$15,000 a year. Why would we want those fraud dollars going to the insurance companies of all things? Let's take that same money and fund healthcare savings accounts.

Now, the next point we do with our bill is we codify President Trump's integrity rule to strengthen verification. I think that just these simple tests, these simple solutions, will decrease the fraud.

I think what consumers need to realize is that, just like shoplifting—even though the day you are there shopping, someone shoplifting doesn't impact the price of what you are buying, eventu-

ally it does. So this shoplifting, this fraud that is going on where we are taking good, hard-earned taxpayer money and sending it to insurance companies, is driving up the cost of healthcare for everybody, and every wasted dollar skips the real care that is needed.

I don't know why my Democrat friends want to prioritize insurance companies over real people and shrug their shoulders at fraud by fighting subsidy cuts.

What we as Republicans demand is honesty, accountability, transparency, and then we are going to redirect these subsidies. Let's redirect the subsidies, empowering patients over insurance companies—again, all with transparent services. But we have to start with anti-fraud. If we can't agree to stop funding imaginary enrollees, what can we agree on? If it is not our plan, then what is the Democrats' plan? Show us a plan that fights fraud.

In Kansas and in every State of this Union, resources are blessings. It is Christmastime. It is a time to remember other people. I truly want every person in America to have meaningful, affordable access to healthcare, and the Republican plan does that. But we have to start by stopping the fraud.

Let's not waste hard-earned taxpayer dollars. Let's stop throwing good money after bad money.

This bill will stop the fraud. It is going to prioritize patients. And I urge every Member of the Senate to help us immediately stop the fraud.

Mr. President, I ask unanimous consent that, as if in legislative session and notwithstanding rule XXII, the Finance Committee be discharged from further consideration of S. 3380 and 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 Georgia.

Mr. WARNOCK. Mr. President, reserving the right to object, listen, I have had the honor of working with my friend the Senator from Kansas on many issues, and I welcome him to join the conversation on our side of the table about how to get people affordable healthcare.

I can tell you that as I move across the State of Georgia, which is a non-expansion State, much like Texas, people are trying to figure out how they are going to keep their healthcare.

In about a month, folks will see their healthcare premiums double, on average. For some, it will triple. For others, it will quadruple. People will lose their healthcare, and some people will die as a result of that.

A healthcare policy in general is a matter of life and death. We have seen the Republicans through their "Big Ugly Bill" cut \$1 trillion out of Medicaid, and 15 million people lost their