

Trump's ill-conceived policy toward Iran ever since he carelessly and recklessly discarded the Iran nuclear deal last year. His approach to foreign policy has been indecisive and chaotic, and that is partly the reason why tensions have escalated with an adversary rather than preserving key nuclear agreements and engaging in diplomacy.

We must now deescalate and resort to diplomacy. Even if one disagrees with that point, puts aside the President's bellicose and bullying rhetoric, and even if there is the thought that Iran is solely and completely responsible for this situation, the United States should not engage in military operations without the authorization of Congress. Yes, it may defend against or deter an immediate attack that is so urgent that defense of the country has to be undertaken by the Commander in Chief. But this Senate should prevent the President from entering and starting and engaging in another war in the Middle East under the misguided idea that there is a 2001 authorization that allows him to do so legally.

Let me be perfectly clear. A failure of the prohibition funding amendment we will consider tomorrow is not itself an authorization for the President to wage war with Iran. The Constitution trumps any statute. The Constitution requires action by Congress. Without congressional authorization and anything short of specific authority for declaration of war from Congress, starting or waging a war with Iran would be unconstitutional.

But the NDAA on the floor this week is an opportune time—in fact, a perfect opportunity—for Congress to reassert its constitutional authority over the role of the declaration of war. We must seize this moment. We can't simply allow or rely on the outdated 2001 authorization for the use of military force. We cannot allow its intent to be so distorted and stretched and our constitutionally required oversight to be disregarded. We have an obligation to conduct oversight continually and push back on an administration that makes false claims to advance its war-mongering agenda.

The NDAA we passed today gives us the authority to undertake our defense of the Nation.

S. 1790

Mr. BLUMENTHAL. Let me begin by thanking Ranking Member JACK REED of Rhode Island and Chairman INHOFE of Oklahoma, as well as my other colleagues on the committee and my staff, who have worked tirelessly on this to include key elements of my proposal that are important to our military, as well as to our Nation.

This NDAA includes comprehensive reforms to the Military Housing Privatization Initiative. It changes military housing in ways that are long overdue and will prioritize families, ensure long-term quality assurance, and enhance accountability.

In the hearings held by the Armed Services Committee with military families who have experienced adverse health effects and financial burden from residing in hazardous housing, one point was absolutely clear: Our Nation is failing military families who live in this military housing. The conditions, widespread and prevalent, are entirely unacceptable. I was heartbroken to hear much of this testimony from military families who already sacrifice so much and who have struggled to secure safe and livable conditions.

I visited some of the homes at the New London base, and I was struck by the mold, the repairs that were needed, the defects in appliances, and the complaints about lack of proper air-conditioning and heating. We owe our military families much better, and we owe law enforcement the support they need to crack down on fraudulent private contractors.

I am also proud that the NDAA includes my provision to prohibit the Trump administration from modifying military installations to detain migrant children who have been forcibly separated from their parents. The separation policies of this administration have been absolutely abhorrent and antithetical to our values and ideals. They have been shameful and disgraceful.

We have seen the photos, and those pictures are worth a thousand of my words today, but the misuse of military resources, as I have repeatedly emphasized, to implement this administration's radical immigration enforcement agenda—this provision is a small but necessary step toward protecting migrant families from the cruelties of this family separation policy. It is only the beginning. We need to ensure that the Department of Homeland Security reimburses the Defense Department when military resources are used for support at the border. This kind of measure will hopefully prevent DHS from using the Pentagon as a piggy bank—a financial resource for cruel and inhumane policies.

We need to ensure that the President is stopped from abusing his Executive authority by deploying troops to assist in deportation.

We also considered floor amendments to the NDAA. I want to highlight an amendment that I offered to improve equity in the post-9/11 GI bill benefit. Last July, the Pentagon issued a new policy on servicemembers' ability to transfer unused education benefits to their family members. These new policies prevent servicemembers with more than 16 years of military service from transferring education benefits at the time that military servicemembers opt to transfer rather than when they become eligible. The Pentagon argues that these changes were made to ensure that the Department keeps a key retention tool—all while breaking our promise to military families by moving the goalpost of transfer eligibility and

exacerbating inequities in transferring educational benefits. Most notably, disqualifying servicemembers with more than 16 years of military services counterintuitively penalizes the men and women who have served this country in uniform for the longest time.

My amendment would make the post-9/11 GI bill an earned benefit rather than a retention tool and ensure that all servicemembers who have completed 10 years of service in the armed services and Armed Forces are eligible to transfer their benefits to dependents at any time, both while serving on Active Duty and as a veteran.

Despite the passage of the NDAA and the need for this amendment continuing, I will continue to champion equitable education benefits for our military families.

This year's NDAA makes important, unprecedented investments in the submarines, helicopters, and aircraft built in Connecticut. They are not only manufactured in my State—employing thousands of skilled workers vital to our defense industrial base—but they are also critical to our national security. They keep our country safe, and they make sure our Nation and our military have a fair fight. They play a vital role in our defense industry thanks to the unparalleled skills and unstinting dedication of our manufacturing workforce. Because of that workforce, we are able to build the best submarines and the best F-35 engines and other aircraft engines and helicopters in the world—not only through that skilled workforce and those major contractors but the workers at suppliers and contractors, who are equally vital.

Last year, we built two submarines. This year, there will be two more, with procurement for another major part of a submarine. As we begin accelerating production of those Virginia-class submarines, the New London Sub Base must have the capacity to support increased submarine output. That is why I fought for \$72.3 million to replace Pier 32 at Sub Base New London, ensuring a modern landing to accommodate multiple Virginia-class submarines.

I was proud to lead the fight for increased investment in those Virginia-class submarines. That included \$4.7 billion for those two submarines and nearly \$4.3 billion in that advance procurement for a third Virginia-class submarine.

The NDAA also includes \$2.3 billion—which is \$140 million above the President's request—for the Columbia-class program.

I was proud, as well, to champion over \$10 billion for 94 F-35s, which are important to all of our military services. That is an additional 16 above the President's request.

In helicopter production, we will keep faith with the warfighters and with our defense industrial base at Sikorsky.

Today's effort is a tribute to the leadership and the bipartisan efforts in

this Congress. I thank and applaud my colleagues for coming together on behalf of our Nation's defense, which is especially important in a time of disillusionment and seeming dysfunction for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

REMEMBERING WILLIAM MODEN

Mr. GARDNER. Mr. President, I rise today to honor an officer of the Colorado State Patrol whose watch tragically came to an end earlier this month when he was killed in the line of duty.

On June 14, 2019, Trooper William Moden was responding to an accident that occurred on I-70 in Deer Trail, CO. He was doing what he did every day—responding to an incident and giving a helping hand to Coloradans in need. He was assisting the passengers of a vehicle who were involved in a crash—one of whom was an 18-month-old child—when he was struck by a passing vehicle.

Like too many of our Nation's law enforcement officers, Trooper Moden gave his life while protecting and serving others.

William Moden was 37 years old and had served in the Colorado State Patrol for 12 years. His fellow troopers remember him as someone whose uniform was always perfect and whose boots were always polished. There is no doubt for any of them that he was meant to serve and that he did so with the utmost honor and dignity.

While Trooper Moden carried out his duties with seriousness, his friends and loved ones remember him as someone with a tremendous sense of humor. At a memorial service held last week, he was described as having an infectious laugh—a laugh that was usually the loudest in the room. Many at the service remembered the time he put on a dog's shock collar just to see how it felt and to make others laugh. These are the kinds of memories his loved ones will remember forever.

Just as he answered when his Coloradans called, his friends and family say he was someone who could always be counted on. He was reliable, dependable, and they often described him as their “knight in shining armor”—someone who is always there to provide care and comfort. The chief of the Colorado State Patrol, Colonel Matt Packard, described William Moden as “the true personification of what it means to be a Colorado State Trooper.”

At the memorial service last week, Trooper Moden was awarded the title of “Master Trooper”—a rank given only to those who show great leadership and character. To those who knew him, William completely exemplified these characteristics and is certainly deserving of this high honor.

We know we can never pay the debt of gratitude owed to people like William Moden, who risk their lives every

day to ensure their communities are safe. The best we can offer is to never forget and to continue to celebrate the lives of those who sacrifice everything.

I know my Senate colleagues will join me in mourning the loss of Trooper Moden and all those who have given their lives in defending the thin blue line.

So for the second time this year, I come to the floor of the U.S. Senate and remember the words of LTC Dave Grossman, who said, “American law enforcement is the loyal and brave sheep dog always standing watch for the wolf that lurks in the dark.”

I hope the outpouring of love and support that Trooper Moden's family and friends have received in the past few weeks bring them a small bit of comfort.

To Trooper Moden's family and loved ones, our State thanks you for your service, sacrifice, and willingness to share William with the people of Colorado.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

BORDER SECURITY

Mr. MENENDEZ. Mr. President, I come to the floor once again to speak about a humanitarian crisis that is not taking place in Yemen or in Syria or in any foreign country but, rather, right here at the southern border of the United States.

They say a picture speaks a thousand words, but I think it is even more than that. Photographs have the power to cut through noise, speak the truth, and invoke action.

We all remember the heartbreaking image of a little boy who was covered in ash while he sat in an ambulance in Syria. It told us all we needed to know about acts of mass murder committed by Bashar al-Assad. Likewise, we remember the look in the eyes of the malnourished girl who was on the brink of death in Yemen—one of more than 85,000 children to have succumbed to hunger during Saudi Arabia's disastrous bombing campaign. Yet the photo I have brought to the floor today has shaken me to the core as a father, as a grandfather, as a son of immigrants, and above all else, as an American.

Like the other photographs I mentioned, this one tells a story too. This one speaks an ugly truth, and that truth is that President Trump's cruel, inhumane, and un-American border policies have failed. They have failed to make us safer. They have failed to reduce migration to our border. They have also failed to live up to the American values that define our leadership around the world.

We will never forget this heartbreaking photo. More importantly, we will not forget the names of Oscar Alberto Martinez and his 23-month-old daughter, Valeria. They drowned in a

desperate attempt to claim asylum in the United States.

Oscar, Valeria, and Tania, her mother, fled El Salvador in the hopes of seeking asylum in the United States.

The Washington Post reported:

They traveled more than 1,000 miles seeking it. . . . But the farthest the family got was an international bridge in Matamoros, Mexico. On Sunday, they were told the bridge was closed and that they should return Monday. Aid workers told The Post the line to get across the bridge was hundreds long.

The young family was desperate. Standing on the Mexican side of the Rio Grande, America looked within reach. Martinez and Valeria waded in. But before they all made it to the other side, the river waters pulled the 25-year-old and his daughter under and swept them away.

Later, when Mexican authorities recovered their bodies, Oscar and Valeria were still clinging to each other.

Here in the United States, it is hard to imagine what kind of desperate conditions would propel you to flee your home and embark on a perilous journey in search of protection from a foreign nation.

Most of these families who arrive at our border come from Guatemala, El Salvador, and Honduras—three countries that are collectively known as the Northern Triangle. It is a region that is plagued by transnational gang violence, weak institutions, and poverty. Young boys are forced into servitude by gangs. Young girls are beaten and raped if they refuse to become their girlfriends. Parents who try to protect their children end up getting killed. These countries are among the most dangerous in the world. In El Salvador, a woman is murdered every 19 hours, and in Honduras—the country with the highest homicide rate in the world for women—a woman is killed every 16 hours.

To be blunt, these families face an impossible choice. It is either stay and die or flee for a chance to live.

Well, if this horrific and tragic photograph does anything, I hope it dispels us of the ludicrous notion that you can deter desperate families from fleeing their homes in search of safety. That is how the Trump administration describes its cruel policies at the border—deterrence.

In the name of deterrence, it is tearing children and babies away from their mothers and fathers. In the name of deterrence, it is shutting down legitimate ports of entry, effectively encouraging migrant families to seek more dangerous methods of getting into the United States, like crossing the Rio Grande. In the name of deterrence, children are being housed in unsanitary conditions, which leaves infants in dirty diapers and children without soap or toothpaste.

Let me share with our colleagues just a few of the statements that the children who have been kept in these abhorrent conditions have made.

Said one 8-year-old boy:

They took us away from our grandmother, and now we are all alone. They have not