



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, THURSDAY, JANUARY 9, 2020

No. 5

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

CONGRESS NEEDS TO FIX THE WAR POWERS ACT

The SPEAKER. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Madam Speaker, undeniably the worst foreign policy mistake in the history of the United States of America was the invasion of Iraq based on phoned-up intelligence that was trumpeted by Dick Cheney, Scooter Libby, and other characters in the Bush administration.

But just this last week, President Trump took us to the verge of an even worse foreign policy mistake in the Middle East. He recklessly and impatiently took us to the brink of war that would have been even worse.

Now, yesterday, I went to the so-called intelligence briefing. They offered no intelligence regarding immediate imminent threats to the United States, our troops, or allies in the region.

They did certainly make a case that Soleimani was a rotten guy and he was responsible for many, many deaths of Americans and others in the region, but that is all recited past history that

didn't talk about any immediate threats or any intelligence that would lead to it.

They further went on to say that the legal justification was the Authorization for Use of Military Force in the invasion of Iraq, which, of course, was based on phony intelligence regarding weapons of mass destruction he didn't have. So that is even more extraordinary if you think about that.

Last week, also, the President tweeted what he said was his compliance with war powers. He then went on to tweet a threat of all-out war against Iran, and then he went further to tweet that he would order that war crimes be committed during an all-out war against Iran.

That was walked back a little bit by the Secretary of Defense who said they would follow the law. And then Trump later said: I like laws. I will follow the laws. So he walked back from saying he was going to destroy cultural threats a little bit.

Today, on the floor of the House, we will take up a rebuke of the President for those actions. Hopefully, we will go further and we will repeal the Authorization for Use of Military Force from 2002 based on fake intelligence.

We will further, hopefully, take up legislation that was adopted as an amendment to the defense authorization last summer, with bipartisan support, to say that the President couldn't initiate hostilities against Iran without first coming to Congress.

Congress has the authority, and only Congress has the authority, to declare war. Once we are at war, the President, as Commander in Chief, can utilize the Armed Forces as he sees fit.

But the President does not have the authority. This is extraconstitutional when it isn't an attack or an imminent attack on the United States, its troops, or its citizens.

So we need to do those things.

Further, we need to fix the War Powers Act. That was adopted after the il-

legal actions of another President, Richard Nixon, the bombing of Cambodia.

There were two versions. One followed the Constitution, and said, no, no, any offensive actions into hostilities you first have to come to Congress. The second version said, well, you can initiate them, but you have to report within 48 hours, and if Congress doesn't authorize it within 60 days, you have to withdraw. That was defective and weak and doesn't reflect at all the congressional duties of this body.

Now, I know a lot of Members love to dodge the issues of war and peace—it is the toughest vote you can make—and that is essentially what they did at the time, a wink and a nod: Well, we will let the President do these things. Hey, if it works out, we will take credit; if it doesn't work out, oh, well, then we can castigate him later.

So I have introduced, yet again, a bill that comprehensively reforms the War Powers Act to reflect the constitutional authorities and duties of the United States Congress. It would say that the President cannot initiate hostilities without first coming to Congress.

It would define what consultation means. It doesn't mean a tweet to the Congress. It doesn't mean sending up a letter. It means a meaningful consultation. It establishes an executive legislative consultative group.

It also includes, most importantly, a sunset clause for any authorization by Congress.

I mean, a thousand years from now, the United States, I guess, if we don't repeal the 2002 Authorization for Use of Military Force, can attack whatever Iraq is a thousand years from now. That is absolutely absurd.

Finally, it does give Congress the authority and standing to go to the courts should the President violate the Constitution and the War Powers Act in the future—any President.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H67

I have had problems with both Democratic and Republican Presidents over this issue over the years: Clinton, Bosnia; Bush, obviously in a number of cases; and then Obama in Libya and other things that they did, also based on the fake intelligence in the 2002 authorization.

So let's first vote today. That is just a starting point in reasserting our constitutional duties.

IRAN IS A TERROR STATE

The SPEAKER pro tempore (Mr. CUELLAR). The Chair recognizes the gentleman from Arkansas (Mr. HILL) for 5 minutes.

Mr. HILL of Arkansas. Mr. Speaker, as a terror state, Iran is no friend of the United States or our allies. For three decades, Iran has been a leading state sponsor of terrorism and an eager empire builder. Its history of money laundering, terrorism, and murder of U.S. soldiers is undeniable.

Last week, the President, as Commander in Chief, took the legal and decisive action when he eliminated terrorist combatant leader Qasem Soleimani from the battlefield. Across the years in the region, this man of murder has the blood of hundreds of thousands of innocents on his hands.

To refer to this combat operation as an assassination or to offer moral equivalence between Soleimani and a state-sponsored terror organization with a rule-following nation actively engaged in the family of nations is laughable.

In my view, Soleimani ranks up there with the worst exporters of terror in the region, including the likes of Osama bin Laden or al-Baghdadi, the most recent demised head of ISIS.

Over these three decades, the United States and our allies have faced greater and more violent Iranian or Iranian proxy attacks orchestrated by the terror general Soleimani against the United States and our allies, dating as far back as 1983, when Iran's proxy Hezbollah committed the Beirut, Lebanon, bombing, killing 241 marines.

Soleimani, Iran, Hezbollah, and their thirst for violence is well documented and undeniable. In the face of this record and their very aggressive actions of the last few weeks, including the killing of an American contractor, targeting of U.S. forces, attacking Saudi Arabian oil operations, disrupting shipping in the Persian Gulf, shooting down an American drone, and then blatantly and aggressively attacking our Embassy in Baghdad, President Trump has been quite restrained during the course of that record.

However, the killing of an American contractor and orchestrating that storming and destruction at the American Embassy in Baghdad and the eminent planning of additional threats that this Congress learned the details of yesterday and attacks potentially on American troops or diplomats was the final straw.

Mr. Speaker, the provocateur is Iran, not President Trump. The assassin is Soleimani, not President Trump. The destabilizing force in the region is Iran, not the United States.

Yesterday, President Trump reiterated that the United States does not seek to start a war with Iran. His recent actions have sent an unambiguous signal to Iran and their proxies: Harm Americans, pay a price.

President Trump's objectives are clear: End Iran's export of terror; end its advancing regional ballistic missile capabilities; and prohibit their obtaining a nuclear weapon.

Instead, President Trump encourages the Iranian people to assert their own aspirations and form a more open and pluralistic future for their children and their children's children. This rich, historic land deserves to return to a time when the beautiful, intelligent Iranian people chart their own course for good, as citizens of a country eager to be part of the family of nations.

SAY NO TO ANOTHER WAR IN THE MIDDLE EAST

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. PRESSLEY) for 5 minutes.

Ms. PRESSLEY. Mr. Speaker, I rise today in solidarity with the thousands of patriots who are taking to the streets of towns and cities throughout our Nation later today, taking to the streets to stand up, to speak out, and to say no to yet another war in the Middle East.

Less than 48 hours ago, our Nation was gripped by fear as we watched missiles rain down on our servicemembers and other allied forces in Iraq, an attack that was a direct response to this administration's reckless and impulsive decisions to assassinate a high-ranking military leader in Iran.

Like so many of my colleagues, I prayed. I prayed for all of the servicemembers and their families. I prayed for the innocent civilians in Iraq who once again find themselves in the crossfire in a battlefield of our own making. I prayed for peace.

But I also know perfectly well that the people of the Massachusetts 7th did not send me to Washington, D.C., to just pray. As a woman of faith, I will continue to send prayers up and to work for peace. But what this moment demands and what this country deserves is a strategy.

For more than 3 years now, this administration has been devoid of a coherent approach, instead implementing our Nation's foreign policy like a game of Battleship. They have actively incited further conflict in the region, abandoned diplomacy, and isolated our country from even our strongest allies.

The administration tore up the international agreement keeping Iran from developing nuclear weapons. The administration then engaged in a maximum pressure campaign that has rav-

aged the Iranian economy and harmed innocent civilians.

Yesterday, the White House had the opportunity to change course. Instead, we heard more of the same.

Let me be clear: We cannot allow our country to be lied into another war. We have the opportunity to learn from the mistakes of our past.

For nearly two decades, endless wars have claimed the lives of hundreds and thousands of civilians and servicemembers alike. An entire generation has only known war. Millions of refugees have been permanently displaced.

I remind my colleagues today that war is never inevitable. We reject the false choice between peace and security.

The 116th Congress is a fundamentally different Congress, and it is time to advocate for a fundamentally different foreign policy: foreign policy centered in the dignity and humanity of all people.

Prayers alone will not suffice. We need prayers and strategy. This is our chance. Let me be abundantly clear. The American people do not want war.

□ 1015

WAR POWERS RESOLUTION DOES NOT LIMIT THE PRESIDENT'S POWER TO ACT WITHOUT CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today in strong opposition to a dangerous and partisan resolution offered by my Democrat colleagues designed to handcuff our President and limit his constitutional authorities as Commander in Chief to defend our Nation against Iranian aggression.

The resolution before us today needlessly politicizes our national security and shows that Democrats have once again put their partisan agenda ahead of the American people simply because they do not like President Trump.

Let's be clear. President Trump's decisive and defensive action to eliminate the Islamic Revolutionary Guard Corps Quds Force commander, Qasem Soleimani, is not the reason for the recent escalation between the United States and Iran. The President ordered the strike because of Iran's own escalation and aggression, for which General Soleimani was largely and personally responsible.

For over 40 years, Iran and its proxies have been attacking U.S. interests and our allies, but since the flawed Iran nuclear deal, under which the regime received billions of dollars in sanctions relief, the Islamic republic has used that economic windfall to accelerate its support for terrorist proxies, restart its ballistic missile program—in violation of U.N. resolutions—and cheat on its denuclearization aims.

My colleagues have heard the quote of the late Senator Arthur Vandenberg,

chairman of the Senate Foreign Relations Committee that: "We must stop partisan politics at the water's edge."

Senator Vandenberg, a Republican, who worked across the aisle with Democrat President Truman in the early days of the Cold War was right.

This resolution is not safeguarding our Constitution, but attacking our Constitution by attempting to divest a duly elected President of his Commander in Chief powers, and in the process, emboldening our enemies.

In fact, President Trump has demonstrated enormous restraint in his targeted action against Soleimani making this vote entirely unnecessary. There was no invasion of Iran, but a strike against a terrorist in a country we had the legal authority to operate in under the 2002 Authorization for the Use of Military Force.

Mr. Speaker, you have heard many of my colleagues doubt the applicability of that AUMF, so for those colleagues who are unconvinced that that is a sufficient authority, consider the fact that even in the absence of explicit congressional authorization for the Soleimani strike, here is a helpful reminder: Article II, Section 2 of the Constitution provides that: The President shall be Commander in Chief. And it is true that the Constitution gives Congress the sole power to declare war and the sole power of the purse to either fund or defund military action, but dating back to the Prize cases in 1863, the Supreme Court has long held that the President may act without Congress to defend the Nation.

In recent years, the Justice Department's Office of Legal Counsel has opined that the Constitution authorizes the President as Commander in Chief to order military action without congressional permission if the President determines that the action would be anticipatory self-defense or otherwise serves the interest of the United States, at least where the nature, scope, and duration of the anticipated hostilities are limited.

And that was what was the case here.

Specifically, the OLC has said the President's inherent constitutional authority as Commander in Chief, his broad foreign policy powers, and his duty to take care that the laws be faithfully executed, empower him to deplore the armed forces abroad, without a declaration of war by Congress or other congressional authorization.

The courts have generally declined to review the exercise of such unilateral executive power.

The War Powers Resolution does not limit the President's power to act without Congress. At most, it imposes a reporting and consultation requirement that this President has complied with.

Furthermore, the War Powers Resolution applies only to the deployment of significant bodies of military personnel and would not apply to a drone strike.

Finally, according to OLC, "... if our Armed Forces otherwise lawfully

stationed in a foreign country were fired upon and defended themselves, we doubt that such engagement in hostilities would be covered by the consultation and reporting provisions of the War Powers Resolution."

Of course, that is precisely the scenario here involving the President's decisive strike against Soleimani in response to an attack on our embassy.

Thank goodness we have a Commander in Chief who will not allow another Benghazi on his watch. Don't forget, the Framers of the Constitution specifically rejected a proposal that Congress be empowered to "make war," and implied power for the President to "repel sudden attacks."

This was in recognition of the slow pace and inefficiency of legislative proceedings under the Articles of Confederation. As Members of Congress, we have a special duty to jealously guard legislative prerogatives, including the power to declare war, and to provide a check on the executive branch for overreach. But we also must have the humility to acknowledge that Congress lacks the power to divest the President of his Commander in Chief powers under Article II.

RECOGNIZING ASSISTANT CHIEF LAURA QUATTLEBAUM FOR HER YEARS OF SERVICE WITH THE CALIFORNIA HIGHWAY PATROL

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, it is appropriate that on National Law Enforcement Appreciation Day, I rise to recognize California Highway Patrol Assistant Division Chief Laura Quattlebaum for her years with the California Highway Patrol and congratulate her on her retirement.

Assistant Chief Quattlebaum is a shining example of the selflessness and courage our Nation's law enforcement possesses. She is truly an amazing woman, full of passion, character, and integrity. I am humbled to have worked alongside her in our community, and I am honored to call her my friend.

For more than 30 years, Assistant Chief Quattlebaum has served as a dedicated public officer for my constituents, as well as countless other Californians. After graduating from the CHP academy she went on to act as public information officer for the city of Indio.

From this critical position to her current role as California Highway Patrol assistant chief, she has answered the call to defend our public safety many times. Throughout her career, Assistant Chief Quattlebaum has been recognized on numerous occasions for her outstanding work. As lieutenant in the Indio area, she received the Commissioner's Commendation for Leadership and Cultural Awareness and Racial Profile training.

Six years later, Assemblyman Brian Nestande awarded her the 2013 Women

of Distinction award, and in 2014, Assemblyman Manuel Perez presented her with the Woman of the Year award in recognition of her service to the people of California.

Assistant Chief Quattlebaum is known to her colleagues as a hard-working and selfless leader. Her commitment to bettering the lives of others is reflected in her tireless advocacy for those she served alongside and for peace officers throughout the country.

I have witnessed this commitment firsthand on multiple occasions, notably, when we worked together to more than double our Nation's funding for mental health services for our local law enforcement agencies just last year.

Assistant Chief Quattlebaum's career in public service is a true testament to her devotion to community, country, and public safety. Her unwavering dedication to the people of California is admirable.

On behalf of California's 36th Congressional District, I thank Assistant Chief Quattlebaum for her years of service and thank all of our law enforcement agents who work tirelessly to uphold the safety of our communities.

I congratulate Assistant Chief Quattlebaum on her retirement. We must carry the spirit of National Law Enforcement Appreciation Day with us every day by showing our gratitude for our public safety officers year-round.

CONFLICT WITH IRAN

Mr. RUIZ. Mr. Speaker, I rise on behalf of Americans in my district and across the country who are anxious that the events of this past week are sending us down a path to war with Iran.

Over the past week, I have been thinking most about our servicemembers and their families, the people whose lives will be immediately and irreversibly affected by the decision to go to war: sons, daughters, mothers, fathers, siblings, our neighbors and our friends, who will put at risk their lives; families worried about their loved ones put in harm's way; servicemembers who have seen multiple deployments and are now faced with the prospect of being sent overseas yet again.

Our veterans and their families have dealt with the human toll of war for nearly 20 years. It is time for a new approach. Americans don't want another endless war in the Middle East. After 19 years of conflict, America doesn't need another war. We do not want reckless, high-risk provocations of war that make Americans less safe for years to come.

That is why I urge President Trump to deescalate the situation and pursue a diplomatic path forward. In the meantime, I hope everyone will join me in continuing to pray for the servicemembers overseas defending our Nation and for a strategic, peaceful solution to avoid another costly war in the Middle East.

STANDING IN FIRM SUPPORT OF PRESIDENT TRUMP ON HIS ACTIONS AGAINST TERRORISTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to stand in firm support of President Trump's leadership in his decisive actions against evil terrorists.

America and the world are safer without Qasem Soleimani. Not only is America safer, it is more prosperous than ever before and now energy independent.

The Iranian regime would be wise to not further test this President's mettle and the overwhelming capabilities of the greatest fighting force the world has ever known: our U.S. military.

HONORING THE LIFE OF GENERAL PAUL KELLEY

Mr. PENCE. Mr. Speaker, I rise today to honor the life of General P.X. Kelley. General Kelley was the embodiment of the Marine Corps. His distinguished record inspired me, the marines with whom I served, and will continue to inspire marines for generations to come.

In Vietnam, General Kelley earned the Silver Star, the Legion of Merit with Valor, and two Bronze Stars with Valor.

As commandant, he led the Corps during the dark days following the 1983 Iran-backed bombing of the Marine Corps barracks in Beirut. General Kelley's leadership inspired every marine to hold true to the values of the Corps. I am terribly saddened by the passing of General Kelley, but I will be forever grateful of serving under his command.

Semper fi.

CONGRATULATING GATORADE INDIANA FOOTBALL PLAYER OF THE YEAR CHARLIE SPEGAL

Mr. PENCE. Mr. Speaker, I rise to congratulate an exemplary student-athlete, Charlie Spegal.

Charlie was recently named the Gatorade Indiana Football Player of the Year. He has had an outstanding football career, holding the all-time State career record in rushing yards, rushing touchdowns, and career touchdowns.

Finishing with 10,867 career rushing yards and 175 touchdowns, he did this while maintaining above a 3.5 GPA. Charlie has been a role model for student athletes everywhere.

I congratulate Charlie on his wonderful career throughout high school and wish him the best of luck in college.

REMEMBERING THE LIFE OF AMERICAN HERO CHARLES "RED" WHITTINGTON

Mr. PENCE. Mr. Speaker I rise today to remember the life of American Hero Charles "Red" Whittington.

Red served in France during World War II as a member of the 377th Infantry Regiment and the 95th Infantry Division.

His regiment was given the nickname "Iron Men of Metz" for their fierce liberation in defense of the town of Metz from German counterattacks.

Whittington was the recipient of a Bronze Star, two Purple Hearts, the Combat Infantryman Badge, the European Theater of Operations Campaign Medal with two battle stars, a Good Conduct medal and the Victory Medal.

I give my deepest condolences to the Whittington family and hope they find comfort in knowing that Charles "Red" Whittington was a true American hero.

CONGRATULATING SOUTH DEARBORN HIGH SCHOOL ON REIMPLEMENTING FFA AG PROGRAM

Mr. PENCE. Mr. Speaker, I rise to congratulate South Dearborn High School for reimplementing their FFA Ag program. FFA educates students on agricultural success, as well as providing hands-on career training experience.

After a 30-year absence, students and future farmers at South Dearborn will again be able to gain the knowledge and experience they need to succeed in the agriculture industry.

Congratulations to South Dearborn FFA, and I look forward to seeing your chapter grow.

PRESIDENT NEEDS TO MAKE THE CASE FOR MILITARY ACTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, young men and women enlisting in our military for the first time will enter recruitment offices across our country this year.

On their IDs will be birth dates that reflect the fact that they are signing up to fight in wars that started before they were born.

Nineteen years. That is how long we have been in Afghanistan. Seventeen years. That is how long we have been in Iraq. Not to mention the American weapons, the American dollars, the American boots, the American lives that have been sent to Yemen, Syria, Somalia, and many, many other corners of our globe.

□ 1030

We are a generation that has spent the better part of its life at war in a country in the Middle East, perpetual wars fought under the cover of two permission slips that this body gave the executive branch nearly 20 years ago.

In 2001, Congress authorized our offensive against al-Qaida and the Taliban in the wake of 9/11 in what became the largest armed conflict in American history. In 2002, Congress authorized the invasion of Iraq, and it became the greatest foreign policy mistake of a generation.

And our response has been silence, silence from this collective body; silence as we have sent hundreds of thousands of American men and women to Afghanistan and tens of thousands more to Iraq; silence as three administrations, Democratic and Republican, have used these two authorizations to

expand, to evolve, to justify, and to prolong our presence in a volatile and violent region; and silence as our role has become less clear and our mission less certain.

What we have lost in this silence is hard to quantify—the lives that could have been spared, the families we could have protected, the money we could have used to do good, and the credibility we could have saved if we had summoned the collective courage to tear up those permission slips.

The vote today on the War Powers Resolution to restrict the current administration's actions against Iran is an important one. It is a necessary response to a reckless President without a plan. But it is not enough because, yesterday, this administration told us that the legal authority to launch a strike targeting Iran 6 days ago was granted based on the authority that this body allowed to invade Iraq 18 years ago, using a deceased dictator to justify a potential war against an entirely different adversary, making a mockery of matters of war and peace.

So now, facing the threat of war with a different yet brutal regime, this body must finally act to cut off any avenue that this President or any other President has to enter our people into a war that we do not want because this isn't just about the actions of a current administration. It is about the precedent that we set from this day forward.

We must pass a War Powers Resolution today. We must repeal the 2001 and 2002 Authorization for Use of Military Force. We must compel the executive branch to come to Congress and make the case that any military action that is required to protect American lives is in our best interests and justified.

And we in Congress must be prepared to take some tough votes because that is our job. It is the very least that we owe our men and women in uniform putting their lives on the line so the rest of us might sleep safe and free.

HONORING THE LIFE AND LEGACY OF FORMER CONGRESSMAN MICHAEL FITZPATRICK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to remember and honor my friend and former colleague, Michael Fitzpatrick. Former Congressman Mike Fitzpatrick passed away on January 6 after a 12-year battle with cancer.

He served as chairman of the House Committee on Financial Services' Task Force to Investigate Terrorism Financing. Over a 2-year period, the task force investigated the financial mechanisms used to fund terrorist activities.

Mike was a leading voice in Congress on medical device safety, pressing the FDA after dangerous medical devices remained in use after causing serious injury and death. He was an Eagle

Scout from the Bucks County Council and former president of that council and was honored with the Silver Beaver Award for his service to scouting.

Mike retired in 2017 and was consistently ranked among the most bipartisan Members of Congress.

I lift my prayers for Mike's wife, Kathleen; their six children; his brother, Congressman BRIAN FITZPATRICK; and the Fitzpatrick family during this difficult time.

Mr. Speaker, it is also appropriate to celebrate the tremendous accomplishments and difference Congressman Mike Fitzpatrick made in a relatively short life.

Well done, my friend. Rest in God's loving arms.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. THOMPSON) for yielding.

Mr. Speaker, I, too, rise to honor the life and the accomplishments of Congressman Mike Fitzpatrick. He was a great and trusted colleague. More importantly, he was a good friend, and he was my friend.

He didn't seek the spotlight; he just sought to do the right thing.

He was all about representing his district. Representing his district put him at odds, oftentimes, with popular sentiment around here, but Mike wasn't bothered by any of that. He was true to his convictions; he was true to his family; and he was true to his friends.

Guys like Mike Fitzpatrick who come here, serve, and stay focused on what is important and stay true are hard to find and even harder to replace.

We wish God's blessing on Mike Fitzpatrick and his entire family. We pray the Lord will fill the intolerable emptiness of his passing.

I would just like to say: We miss you, Mike Fitzpatrick, and Godspeed.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Speaker, I as well rise today to pay tribute to our friend, the Honorable Michael G. Fitzpatrick, a longtime Republican who served as a Bucks County, Pennsylvania, commissioner and served as a Member of the United States House of Representatives, who, sadly, passed away Monday, January 6.

Mike was the oldest son of eight children, born on June 28, 1963, in Philadelphia, Pennsylvania. He grew up and resided in Bucks County. Mike was an Eagle Scout, an Eagles fan, and a graduate of Dickinson Law School.

Those who knew Mike said the same thing: He worked hard every day to make his constituents' lives better.

First elected to Congress in 2004, he served four terms and then stepped down, honoring his self-imposed pledge to term limits. Mike's brother, BRIAN FITZPATRICK, succeeded his older brother and continues to serve their home district honorably. BRIAN is a great Member and a friend to us all.

Mike was described by a friend as a classic Bucks County Irishman and a man whose family always came first.

Congressman BRIAN FITZPATRICK and the entire Fitzpatrick family appreciate our prayers. Mike is survived by, in addition to his brother BRIAN, his six other brothers and sisters; his parents, James and Mary; a grandson; a granddaughter; his wife of 31 years, Kathleen; and their six children.

I thank you for your work to make Pennsylvania and our country a better place, Congressman Fitzpatrick.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. JOYCE).

Mr. JOYCE of Pennsylvania. Mr. Speaker, I rise today to honor the life and the legacy of former Pennsylvania Congressman Mike Fitzpatrick.

Mike was a dedicated public servant who proudly represented the people of Pennsylvania's Eighth Congressional District, showcasing incredible courage not only in Congress but throughout his life.

This week, former Congressman Fitzpatrick passed away after a valiant battle with metastatic melanoma. As a dermatologist, I have witnessed this disease claim many lives and devastate too many families. Here in Congress, it is my privilege to serve as co-chair of the Skin Cancer Caucus, and I remain dedicated to promoting innovative treatments and cures for melanoma.

On behalf of the 13th District of Pennsylvania, I am grateful to Congressman Mike Fitzpatrick for his longstanding service to our Commonwealth and to our entire Nation.

As we honor him today, I extend my sincere sympathies to the entire Fitzpatrick family, including my friend, Congressman BRIAN FITZPATRICK, upon the loss of a great leader from Pennsylvania and a great leader in our Nation.

RELEASE FUNDS FOR PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, on Tuesday morning, southwest Puerto Rico was struck by a 6.4 magnitude earthquake.

That seismic event followed hundreds of smaller quakes that had rattled the region since December 28. However, Tuesday's quake inflicted enormous damage, causing a school to collapse, killing at least one person, and leaving almost the entire island without power.

Indeed, today, Puerto Rico's largest power generation facility, Costa Sur, remains offline as we speak. That power plant is responsible for 40 percent of electricity generation on the island. Even as of last night, more than two-thirds of Puerto Ricans had no electricity.

Mr. Speaker, 250,000 Puerto Ricans were without water. Hundreds of homes

were damaged. As of last night, more than 5,200 Puerto Ricans were sleeping on the street, afraid their homes could collapse on them.

For the people of Puerto Rico, this natural disaster evokes dark memories seared in our minds of how this administration and the Federal Government failed, turning a natural disaster into a humanitarian crisis.

In 2017, because of this administration's incompetence and indifference, the Puerto Rican people suffered immensely. They endured the longest blackout in American history, and 3,000 of our fellow citizens lost their lives. We cannot afford to repeat those mistakes.

Sadly, today, this administration's disdain for the people of Puerto Rico remains on full display, this time in the form of previously approved funds that it is withholding. In response to Hurricanes Maria and Irma, Congress passed \$8.3 billion in HUD relief and mitigation funding, resources that HUD to this day refuses to release. Let me repeat that: The Secretary of HUD is violating the law, scoffing at congressional intent, and blocking the people of Puerto Rico from receiving previously approved disaster funds. This comes even after another disaster has stricken the island.

We do not know yet how bad the devastation from this earthquake will be. We also do not know if there will be yet more earthquakes. But this is certain: It is unacceptable, especially now, for Secretary Carson and HUD to stand in the way of Puerto Rico's receiving previously allocated assistance. It is also illegal.

Mr. Speaker, these are our fellow citizens. They deserve our compassion and our assistance. When wildfires or earthquakes hit California or hurricanes strike Texas, Americans stand together and assist one another. They give each other the helping hand that they deserve. But when it comes to Puerto Rico, this administration instead chooses to stand in the way, to block necessary aid, and to put lives at risk.

Mr. Speaker, if these funds are not released and if Puerto Rican people perish in the aftermath of this earthquake, then I have to say that it will be the U.S. Federal Government that is responsible.

We cannot afford further delay. HUD must release these funds immediately, and FEMA must get to work, helping Puerto Rico recover from the latest catastrophe.

RECOGNIZING ALLEN BEERMANN'S RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. SMITH) for 5 minutes.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to recognize Mr. Allen Beermann, who is retiring from his

longtime position as the executive director of the Nebraska Press Association after having been Nebraska's secretary of state for 24 years.

Through his 48 years of public service, Allen has been an example of dignity and a source of inspiration to countless Nebraskans. Allen is well known across Nebraska and even around the world for his commitment to his work and his affinity for meeting new people.

□ 1045

As a Nebraska Secretary of State, he worked tirelessly to protect the integrity of our elections. He brought this commitment to integrity with him into his next role as executive director of the Nebraska Press Association as well.

He has traveled to many countries and met with people from all walks of life, establishing relationships with everyone he meets along the way. Allen likes to say his career took him to "48 countries in 48 years," and I am sure he has no shortage of stories from these trips.

I have known Allen for many years, and I can say, in addition to his hard work, Allen has always been a great person to be around. Allen is always one to lighten a conversation with his quick wit and positive attitude, and his many friends around the world are a testament to his character. He has even been known to poke fun at himself a little bit, stating, recently, that the Nebraska Historical Society has recognized him as the "official State artifact."

Mr. Speaker, please join me in honoring Mr. Allen Beermann's commendable public service, and wish him good luck in his retirement.

A TRIBUTE TO MICHAEL FITZPATRICK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for 5 minutes.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I speak from the heart about someone who was not just a colleague but a good friend. We heard some of my Republican colleagues, also from Pennsylvania, speaking about Mike Fitzpatrick earlier.

I had the privilege to say that I was Mike's constituent for a few years. Under the old, old lines in Pennsylvania, he represented a portion of Philadelphia in the far northeast, where I reside. He and I became friends when I was a State representative and he was my Congressman.

We quickly realized we had so much in common: similar sort of families, both born in Philadelphia, both proud Irish American families, both went to Catholic high school—Mike went to Bishop Egan, now Conwell-Egan; I went to Cardinal Dougherty. So it was not exactly difficult for the two of us to get along and to work so well together,

especially when I would become a Member of Congress and he immediately reached out to me and helped in any way he could.

As colleagues, we worked well together on a whole host of issues. Our districts shared the entire Philadelphia-Bucks County border and then much of the Montgomery County-Bucks border as well.

When I think of Mike, though, it is not so much the water safety issues and PFOS that we worked on or transportation or so many issues that affect northeast Philadelphia, Bucks County-Montgomery County. What really strikes me is just what a nice and decent person Mike was and his basic human decency. You see those same traits in his brother, now our colleague, BRIAN.

So, Mr. Speaker, I am deep in mourning today for Mike, his wife, Kathleen, his six children, Mike's parents, including his father, whom I had the opportunity to spend time with and meet this summer. My heart breaks for the Fitzpatrick family, but I hope that they can take solace in the fact that Mike left his mark on this institution.

Mr. Speaker, to also speak about the life of Mike Fitzpatrick, I yield to the gentleman from Nebraska (Mr. FORTENBERRY), my friend and colleague.

Mr. FORTENBERRY. Mr. Speaker, I thank Congressman BOYLE.

Frankly, it is my honor and privilege to join the Pennsylvania delegation as they honor their friend and mine, Congressman Mike Fitzpatrick.

Mr. Speaker, Congressman BOYLE would appreciate this. I had never heard of Bucks County until I came to Congress, but I learned of it quickly because of a young Congressman named Mike Fitzpatrick, who consistently talked about his home, his relationship with the people whom he served, whom he loved, whom he was devoted to.

The gentleman gave some beautiful, generous comments about the nature of his character: He was devoted to his family; he was a man of high principle; he was personable. I think it is important to point out as well: The gentleman is a Democrat; he was a Republican; I am a Republican. And here we are, talking about things that actually unite us because of the character of people, good Americans like Mike Fitzpatrick, who looked for a way to be in authentic dialogue—while standing on his principles. He was a fighter, as well, but looked for a way to be in authentic dialogue, even with people he might have a disagreement with.

He was my friend. I remember in that corner back there, we had a very intimate conversation one day of how he was facing a true dilemma because there was a vote that was about to be taken, for which he said, "This may cost me my election." He took that vote anyway, and it did cost him the election, but then he came back and joined us again.

Mr. Speaker, let me join with Congressman BOYLE and the entire Penn-

sylvania delegation in expressing my condolences to Kathleen and his six kids, whom he talked about and whom we got to know as well.

Being from Nebraska, again, I am a long way from Bucks County, but learned a great deal about the gentleman's home and, of course, the deep character and the place that formed this wonderful public servant, Mike Fitzpatrick.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I, too, as all of my colleagues, not just Pennsylvanians, but all the others, stand up to speak about a young man, because he was a young man, Congressman Michael Fitzpatrick.

Mr. Speaker, I rise today to remember him not as just a departed colleague from the great Commonwealth of Pennsylvania, but he was also a good person. He was someone whom I knew from the fact that, when I was in the State legislature and he was a Congressman, that although I was not in his congressional district, I knew him very much as a person. I knew his leadership; I knew what he provided; and I knew his friendliness.

He, both, was a principled conservative and comfortable working with people on both sides of the aisle. That is how he got things done, including the creation of the Washington Crossing National Cemetery.

He also led the effort to better secure passenger planes from terrorism, a cause inspired by September 11 families from Bucks County.

Bucks County was very close to the congressional district in the legislative district I represented. Limekiln Pike is something that led up directly to Bucks County. So Mike was not a stranger to the issues in the southeast part of Pennsylvania, as well as the city of Philadelphia, as well as the Commonwealth of Pennsylvania.

My fellow Democrats from this district all remember him as a true patriot, a father to Bucks County, a man of grace and honor who looked past politics in the community.

There is a quote from my departed colleague, and this is what he said: "Some legislators look back at how many bills they passed. I measure my time by how many people I helped."

That was a quote that Mike has stated, and I think it is important if all of us remember this. So, in that spirit, we from Pennsylvania stand with that spirit of Michael Fitzpatrick. It is safe to say he helped a lot of people.

Mr. Speaker, to BRIAN and his family, please know that you are in our prayers and our thoughts. We don't take that lightly. We understand it. I say to you that I am honored to be a part of the delegation of people who are standing here today to add my voice to the importance of what Michael Fitzpatrick meant to this body and to this country, and I thank him.

IN MEMORY OF MICHAEL
FITZPATRICK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. ADERHOLT) for 5 minutes.

Mr. ADERHOLT. Mr. Speaker, I want to, as well, today, pay tribute to Michael Gerard Fitzpatrick, who, as has been mentioned, served in this House, representing Pennsylvania's Fifth Congressional District.

It was a privilege to serve with Mike, and, from the first time that I met Mike here in Washington in the House, I knew he was a man of character and a man of principle.

Mr. Speaker, I think you have heard from the words that were spoken this morning before I spoke that, indeed, was the reputation that he had here in Washington, D.C., as I am sure he had back in the State of Pennsylvania.

Today, as we pay tribute to Michael and his life, I am reminded, with just the passing of my own mother-in-law at 5 o'clock this morning, Shirley McDonald from Huntsville, Alabama, who was struggling from Parkinson's disease, of just how short life is. Literally, I am reminded of the shortness of time and the greatness of eternity.

But my mother-in-law, Shirley, and Michael knew that there is a life beyond this one and that, because of Christ, we can have hope to enter an eternal life.

IN REMEMBRANCE OF GREG KIRK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. CARTER) for 5 minutes.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Georgia State Senator Greg Kirk, who passed away on December 22 at the age of 56 after a battle with cancer.

A former pastor, Senator Kirk was first elected to the State senate in 2014. Representing Americus in southwest Georgia, he spent his 6 years in the State senate working hard for rural Georgians: spurring job creation, protecting life, and always putting God first.

His colleagues in the State senate remember him as an exceptional public servant who was always a champion for doing what is right, making him one of the State's most fervent and gracious leaders.

One of his most important pieces of legislation included a bill that would legally protect people who broke into a vehicle to help rescue a child that had been left unattended in hot weather.

His presence, leadership, and passion for service will be dearly missed in the Georgia State senate. Senator Kirk's family and friends will be in my thoughts and prayers during this most difficult time.

IN RECOGNITION OF INTERNATIONAL SEAFARERS'
CENTER

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the International Seafarers' Center in Brun-

wick, Georgia, for all of their work throughout the First Congressional District of Georgia.

Operating in coastal Georgia for the last 38 years, the International Seafarers' Center strives to provide spiritual, emotional, physical, and material support to mariners passing through our area. Currently, the Port of Brunswick, alone, receives 16,000 seafarers annually who have very little access to the conveniences of home while they are at sea.

The International Seafarers' Center is guided by its Christian faith, and with their two hospitality centers, they have done an exceptional job of serving those mariners from all walks of life, different religions, countless languages, and diverse races.

One of the most notable examples of their work includes their effort to provide clothing and food to 20 crew members of the Golden Ray cargo ship that had capsized off the coast of St. Simon's Island in September of 2019.

I cannot thank everyone involved with the International Seafarers' Center enough for making the First Congressional District of Georgia such a welcoming place for seafarers to pass through during their time at sea.

Keep up the good work.

□ 1100

HONORING THE SERVICE OF BETTY GILLIS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Ms. Betty Gillis, who is retiring after 41 years serving as supervisor of Ware County's Board of Elections and Registration.

Throughout the past 4 decades, Ms. Gillis has done an exceptional job in the First Congressional District, ensuring that Ware County's elections are both robust and fair.

Looking back on her time, she remembers that she has enjoyed every minute of it, and she has come to think of her colleagues as extended family.

In her retirement, Ms. Gillis is planning to spend more time with her family. However, it will simply be impossible to replace a public servant as dedicated and excited about her role as Ms. Gillis.

Thank you for your service to the First Congressional District of Georgia, Ms. Gillis. Congratulations on a retirement well-deserved.

HONORING THE LIFE AND LEGACY OF CLAIRE
WOFFORD FRAZIER

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Ms. Claire Wofford Frazier, who passed away on December 23, 2019, at the age of 58, after a battle with cancer.

Ms. Wofford Frazier dedicated her life to serving her alma mater, Young Harris College. A member of the Board of Trustees for over a decade, she served on a number of different committees that impacted daily campus life, including committees on academic affairs, development, and student affairs.

She also created the Wofford-Frazier scholarship to help a Young Harris edu-

cation be as accessible as possible for deserving students. A testament to her work, the executive board room at the college is named in her honor, and she won the Susan B. Harris Award from the Alumni Association in 2008.

Similar to her generosity with the college, those who knew her remember that Ms. Wofford Frazier was always the first person to offer help to someone in need.

My thoughts and prayers will be with Ms. Wofford Frazier's family during this most difficult time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. PINGREE) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, Lord of us all, we give You thanks for giving us another day.

You, O Lord, are the source of life and love. You hear the prayer of Congress, both for the good of this Nation and for the good of humanity around the world. Help this Congress and the President to discern your will in our day.

May short-term gains, self-interest, or partisan advantage never prove to be an obstacle to true vision. Rather, Lord, grant to each member depth of perception, clear analysis, and creative response to the needs of our time.

Today we especially remember our fellow citizens in Puerto Rico as they recover from yet another natural disaster. Bless them, and especially those who labor, sometimes dangerously, to help in the long return to normalcy on that beleaguered island.

In these days give wisdom to all Members. And may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. TAKANO. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TAKANO. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. BROWNLEY) come forward and lead the House in the Pledge of Allegiance.

Ms. BROWNLEY of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PARLIAMENTARY INQUIRIES

Mr. GRIFFITH. Madam Speaker, I rise for a parliamentary inquiry or a series thereof.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Madam Speaker, am I correct that H. Res. 755 was passed by vote of the House on December 18, 2019?

The SPEAKER pro tempore. The Chair will not verify the status of a measure not currently pending.

Mr. GRIFFITH. A measure not currently pending.

Additional parliamentary inquiry, please.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Madam Speaker, since H. Res. 755 passed on December 18, 2019, and the motion to reconsider H. Res. 755 was laid on the table on that same date, December 18, 2019, is there any action the House of Representatives can now take on H. Res. 755?

The SPEAKER pro tempore. The Chair does not respond to hypothetical questions.

Mr. GRIFFITH. It is not a hypothetical.

The SPEAKER pro tempore. The Chair does not respond to hypothetical questions.

Mr. GRIFFITH. Additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. I am not inquiring hypothetically. I may wish to take action. Is there any action currently available to a Member of the House in regard to H. Res. 755?

The SPEAKER pro tempore. The Chair does not issue advisory opinions.

Mr. GRIFFITH. All right. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Is H. Res. 755 currently within the bosom of the U.S. House?

The SPEAKER pro tempore. The gentleman is inquiring about the status of a measure not currently pending on the House floor.

Mr. GRIFFITH. I thank the Speaker. Additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Since 21 calendar days, 12 working days, and seven legislative days have gone by since H. Res. 755 passed the House and the Speaker of the House has not been physically able to deliver H. Res. 755 to the United States Senate, does clause 8(b)(3)(C) of rule I of the House rules automatically cause a vacancy in the Office of the Speaker, or what action does the House need to take since the Speaker has not been able to physically do an essential part of her administrative duties as the Speaker of the House?

The SPEAKER pro tempore. The gentleman has stated the form of clause 8(b)(3) of rule I. However, the gentleman is not stating a parliamentary question within the purview of the Chair at this point. The gentleman is free to consult the rule and its accompanying legislative history for further clarification.

Mr. GRIFFITH. I thank the Chair.

Additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Reviewing its parliamentary history, I would ask the Chair, is there any precedent, other than incapacity, of a Speaker not timely transmitting action of the House to the United States Senate?

The SPEAKER pro tempore. The Chair will not issue an advisory opinion. The Chair is prepared to entertain one more parliamentary inquiry.

Mr. GRIFFITH. Additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. Madam Speaker, clause 8(b)(3)(C) says that a physical incapacity to do the job of Speaker causes or may cause a vacancy. I am asking if there is any precedent related to that rule that the Chair can direct me to, having found none on my own?

The SPEAKER pro tempore. The Chair will again respond that she will not issue an advisory opinion.

Mr. GRIFFITH. I respectfully disagree that it is an advisory opinion and thank the Chair for her indulgence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

TAKE ACTION ON PFAS

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Madam Speaker, I come to the well of the House today to call on my colleagues to support the PFAS Action Act. This bill, like so many that have come to the floor under Democratic leadership, is about taking action for the people; in this case, ensuring access to clean and safe water.

PFAS, so-called forever chemicals that have leached into water supplies for decades, are hazardous to human health. Their presence is linked with reduced kidney function, reduced immune system function, and increased risk for diseases like diabetes and cancer.

These chemicals are in our water because of corporate negligence, and like in many other cases, our working families trying to make ends meet are hit the hardest. That is why it is critical that Congress step up and take action, and that is why this legislation is so important and what it is about.

Madam Speaker, I urge my colleagues to stand up for the people and vote for the PFAS Action Act.

FORT JACKSON EXPANSION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, I am grateful for the addition of the Civil Affairs and Psychological Operations Advanced Individual Training courses at Fort Jackson, South Carolina, which is one of the most military friendly communities in America.

Civil affairs and psychological operation soldiers bring unique skill sets. The relocation of Fort Jackson, where over half of all soldiers attend basic training, effectively organizes courses in the Army Training and Doctrine Command environment.

Through job growth at Fort Jackson, the local economy of Columbia will benefit with nearly \$5 million in initial establishment, and \$3.5 annually.

Congratulations to Commanding General Milford Beagle, Jr., of Fort Jackson on this expansion. I appreciate his extraordinary leadership.

In conclusion, God bless our troops, and we will never forget September the 11th, defeating terrorists overseas, in the global war on terrorism with the courageous leadership of President Donald Trump.

Our sympathy goes out to the family of Nawres Hamid, an Iraqi American Muslim from California who was murdered by the Soleimani-financed terrorists on December 27.

SALUTING JACK YATES HIGH SCHOOL

(Ms. JACKSON LEE asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, I rise this morning to congratulate a very significant and historic high school, Jack Yates High School. Jack Yates High School was founded by the founding father, if you will, of the African American community in Houston, Freedmen's Town.

He is the founder of Wheeler Avenue Baptist Church. He is respected at Texas Southern University, and today they announced in a public school that they will implement an international baccalaureate.

In the midst of the tumultuous times that we have, how important it is that high school students will be engaged in discussions of peace, diplomacy, understanding world engagement, understanding the value of languages and being diverse, recognizing the wonderful experiment of the United States founded by those who fled persecution and indicated in the Constitution we have organized to create a more perfect union.

The more young people, more minorities that we can get in programs like an international baccalaureate where they will come out with that document and be ready to perch on the leadership role is outstanding.

To Jack Yates High School, I salute you. You are mighty. You are important, and God bless you.

CELEBRATING KELLY'S ANGELS ON THEIR 10TH ANNIVERSARY

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Madam Speaker, I rise today to honor and celebrate Kelly's Angels on their 10-year anniversary. This charitable organization has been serving the children of the Capital Region of New York for the past decade.

After Kelly Mulholland, a local teacher and mother of two from my district, tragically lost her battle with cancer in 2007 at the age of 37, her husband, Mark, founded Kelly's Angels in her honor.

Their mission is to provide grants for children in upstate New York who have lost parents or siblings to cancer or other illnesses. Children receive fund grants to use for whatever the child can dream up.

The goal of these grants is to bring a smile to a child's face, create positive new memories, and help with the healing process.

Kelly's Angels has worked with countless families in our local communities over the past decade, and their work continues to have a positive impact on so many lives.

On behalf of New York's 21st Congressional District, I want to congratulate and thank Mark, his children, McKenna and Connor, and the entire Kelly's Angels team for achieving this milestone.

I thank them for their amazing work. We are so proud of them.

STOP TRUMP'S WAR WITH IRAN

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Madam Speaker, President Trump has committed an illegal and unconstitutional act of war, pushing our Nation headlong into a war with Iran without any authorization from Congress, a war that would be so costly and devastating, it would make our wars in Iraq and Afghanistan look like a picnic.

In doing so, he has undermined our national security in two critical ways: number one, Iran is no longer complying with the Iran nuclear agreement and is quickly speeding forward in developing their nuclear weapons capability, putting us and the world at greater risk.

Number two, our troops in Iraq are no longer focusing on preventing a resurgence of ISIS and al-Qaida. Instead, all of their efforts are now focused on Iranian forces and Iranian-backed Shia militias.

Congress must act today to stop further escalation of this war. Vote "yes" on H. Con. Res. 83 to uphold the Constitution which we all took an oath to support. Vote "yes" to stop Trump's war with Iran.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

□ 1215

HIGHLIGHTING SERVICE ACADEMY NOMINATION BOARD

(Mr. BUDD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUDD. Madam Speaker, I rise today to highlight one of the most rewarding responsibilities I have as a Member of Congress: the honor of nominating students to the service academies.

This past weekend, I met with my Service Academy Nomination Board for North Carolina's 13th Congressional District to begin the review process. This year's board includes Mr. Ronald Hope of Advance, Mr. Matt Reyes of Mooresville, Mr. Doug Lain of High Point, Mrs. Rayne Brown of Lexington, Mr. Wayne Davidson of Greensboro, Mr. John Sherden of Mocksville, and Mr. Frank Pugh of Greensboro.

I am grateful that these individuals sacrificed their time and effort to help review applications, interview candidates, and recommend qualified individuals for the nominations. I look forward to announcing our nominees in the coming weeks.

Madam Speaker, please join me in thanking the members of our board and all the applicants who want to serve our great country.

PREVENTING WAR WITH IRAN

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Madam Speaker, I am here to condemn the President's hostile actions against Iran that led us to the brink of war.

President Trump had no legal justification to launch an attack against Iran. The President's dangerous provocation was unlawful and unconstitutional, and Congress must assert its sole authority to declare war. His actions made America less safe.

Today, I will be voting for a War Powers Resolution to check the President's use of military action against Iran. But the need for Congress to reassert its authority does not end there. We must repeal the 2002 AUMF and prevent the administration from engaging in an unauthorized war by restricting funding from being used to wage war against Iran.

We must not yield to the voices of extreme hawks that see war as the only answer. We must not go to war with Iran.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

RECOGNIZING U.S. ASTRONAUT CHRISTINA KOCH

(Mr. MURPHY of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of North Carolina. Madam Speaker, as a North Carolinian and member of the Science, Space, and Technology Committee, I take great joy today in rising to recognize United States astronaut Christina Koch.

Christina grew up in eastern North Carolina in Jacksonville and graduated from the prestigious North Carolina School of Science and Mathematics. She later earned her bachelor's and master's degrees from N.C. State.

On December 28, 2019, Christina set the record for the longest continuous spaceflight by a female. She surpassed the previous record of 288 days achieved by fellow astronaut Peggy Whitson. She is now at 300 days and counting. In addition, Christina participated in the first all-female space walk on October 18 alongside fellow astronaut Jessica Meir.

She is, without a doubt, one of the most accomplished people in North Carolina's history. Christina has made her country, her State, and all of eastern North Carolina proud. I wish her luck on her continuous voyage amongst the stars. We look forward to her safe return to Earth in February.

SUPPORT PROGRAMS FOR WOMEN VETERANS

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY of California. Madam Speaker, I rise to speak in support of my bill, the Women Veterans TRUST Act, a bill that aims to address the need for women-specific programs that treat veterans with drug and alcohol dependency.

The over 2 million women veterans who live in the United States face unique challenges that far too often are not appropriately addressed. Women veterans have higher rates of post-traumatic stress that can lead to substance abuse. Tragically, women veterans with substance-use disorders often have higher rates of suicide than their nonveteran peers.

To address this crisis, women-specific programs make all the difference. As chair of the Women's Veterans Task Force, I have heard how critical these treatment programs are to saving lives.

Madam Speaker, I urge all of my colleagues to cosponsor this important bill to ensure our Nation's women veterans have the resources and programs they need to thrive.

SEND ARTICLES OF IMPEACHMENT TO SENATE

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Madam Speaker, I rise today to pose a simple question to my colleagues: Are we, as a body, subject to the rules in the Constitution? The answer is: Of course we are.

However, Speaker PELOSI has chosen to ignore the Constitution and go rogue. Last month, she stood on this very floor and told us how important it is that we impeach the President immediately. Now, outrageously, she claims for herself new powers never contemplated by the Constitution.

By not transferring the Articles of Impeachment to the Senate, Speaker PELOSI has claimed for herself the authority to veto any bill passed by this House with no possibility of override. This is a monstrous abuse of her position and an outright attack on the trust of the American people.

Clearly, she knows the impeachment process has been a sham all along and will fail in the Senate. I urge the Speaker to do her job and move the articles to the Senate immediately.

ACT TO LOWER PRESCRIPTION DRUG PRICES

(Ms. FRANKEL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL. Madam Speaker, I am holding in my hand a pill cutter. Pharmacists tell me that it is one of the most popular gadgets in the drugstore.

Why? Because many prescription drugs are so unaffordable that, at the expense of their health, Americans are

cutting their pills in half. Even some folks who have insurance go to the counter with a prescription and leave empty-handed because they can't afford the copay.

That is why Democrats passed H.R. 3 that will give Medicare the power to negotiate with drug companies, lowering the cost of the most expensive drugs for all Americans and stopping pharmaceutical companies from charging more for drugs that are cheaper in other countries. The new law would also set limits on prescription drug costs for Medicare beneficiaries while delivering them vision, dental, and hearing care.

Madam Speaker, I urge the Senate to take up and pass this lifesaving bill.

COMMENDING PRESIDENT TRUMP ON IRAN ACTIONS

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, last week, President Trump used his authority and took clear, decisive action to protect American lives.

By eradicating Iran's top terrorist, he sent a clear message to our enemies that the Obama days of appeasement are over, and America will, once again, stand up to terrorists. We cannot allow another Benghazi.

However, I am in disbelief that some Members of this body are finding ways to blame President Trump for the current situation in Iran.

Fact one, Iran's regime has been an enemy of America since 1979. In recent months, they have shot down U.S. drones, attacked oil tankers, shot rockets at our bases, and attacked and tried to take over our embassy. Taking out Soleimani was a long-overdue action to make the world a safer place and protect American lives.

Fact two, President Trump does not want war. Yesterday, while addressing the Nation, President Trump made clear there is a path forward with peace for Iran if they are willing to set aside their nuclear ambitions.

This is personal for me. My son and his family currently serve in an embassy abroad in a war-torn land. I want to thank President Trump for protecting my family and our women and men in uniform abroad.

CALLING FOR COHERENT STRATEGY ON IRAN

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TED LIEU of California. Madam Speaker, I rise because it is one of the highest forms of patriotism to speak out when a government engages in reckless military action that could lead us to war.

I previously served in Active Duty in the United States military, and the

goal of any military action should be to make us more safe, not less safe.

Unfortunately, as a result of Donald Trump's impulsive decisionmaking, the following negative consequences have happened. Iran is no longer abiding by any limits on its nuclear program. The Iranian people who previously were protesting their own leadership have now rallied behind their government. The Iraqi parliament recently voted to kick U.S. troops out of their country, one of the goals of Iran. And we have had to stop counterterrorism actions against ISIS.

This was a lose-lose-lose decision. We don't need the President to make any more reckless decisions. We don't need him to tweet out flag pictures. We need the President to articulate a coherent Iran strategy, which he still has failed to do.

HONORING SERGEANT FIRST CLASS EDWARD KRAMER

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Madam Speaker, I rise today to recognize and honor one of our fallen servicemembers in Iraq, Sergeant First Class Edward Kramer.

Sergeant Kramer was a North Carolina National Guard soldier killed in action by an IED on his last day of combat operations while he was deployed to Iraq, leaving a family and young children behind.

General Soleimani's brutal reign of terror was responsible for the deployment of the IEDs that killed and wounded soldiers such as Sergeant First Class Kramer. In fact, Soleimani's reign of terror killed and wounded over 600 servicemembers in Iraq.

We can never fully repay the families of our fallen soldiers, but we can seek justice. Terrorism must never prevail over American freedom and identity.

CONSTRAIN IRAN THROUGH DIPLOMACY

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Madam Speaker, America does not need or want a war with Iran.

There are no political objectives we can reasonably achieve through force, and the President must not be allowed to fabricate a pretext for a conflict that will leave America, our allies, and the whole region less safe. But that is what he has been doing since tearing up the Iran nuclear deal and beginning a campaign of maximum pressure.

Today's War Powers Resolution reasserts Congress' authority to declare war and imposes crucial restrictions on the President; namely, he cannot start a war without demonstrating an actual threat. This is something the administration has failed to do, according to

both Democrats and Republicans from yesterday's intelligence briefing.

The best way to constrain the true threat of Iran is through the multilateral diplomacy that achieved the historic nuclear deal. With this clear congressional statement that Congress has not authorized a war, I urge the President to immediately stop his erratic and impulsive provocations and take us back from the brink.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

CALLING ON SPEAKER TO DO HER JOB

(Mr. GRIFFITH asked and was given permission to address the House for 1 minute.)

Mr. GRIFFITH. Madam Speaker, once a resolution passes the House, it goes to the Senate. Once all action is done, the Speaker is a mere functionary in transmitting the will of the House to the Senate.

It has been 21 calendar days, 12 working days, and 7 legislative days since the impeachment resolution was passed by this House. Since the resolution has not yet been delivered to the Senate, clause 8(b)(3)(C) of House rule I says that a vacancy in the Office of the Speaker may exist if the Speaker cannot do her job. She has not done her job.

America, I submit a vacancy exists in the Office of the Speaker of the United States House.

REPEAL AUMF, PROHIBIT WAR FUNDING

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Madam Speaker, I rise in strong support of Congresswoman SLOTKIN's War Powers Resolution, which I am proud to cosponsor, and also to express my support for legislation introduced by Congresswoman BARBARA LEE and Congressman KHANNA to repeal the much-abused 2002 AUMF and to prohibit funding of any offensive military operations against Iran.

President Trump's incoherent strategy has brought us to the brink of another disastrous war in the Mideast.

I have seen this madness before. In 2002, I stood here to oppose the use of force in Iraq because I knew that tragic war was based on a lie.

The Constitution is clear. Donald Trump needs congressional authorization to use force against Iran.

So I say to you all today: No more lies, no more lost lives, and no war with Iran.

□ 1230

NATIONAL LAW ENFORCEMENT APPRECIATION

(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Madam Speaker, today, on National Law Enforcement Appreciation Day, I rise to recognize the brave men and women who work to keep our communities safe across central and west central Illinois.

From Peoria to Springfield, Jacksonville to Quincy, Macomb to Beardstown, law enforcement officers in Illinois' 18th Congressional District are the hidden heroes of our State. Each day, Illinois police officers, deputies, and State troopers leave their families with no certainty they will return home safely; yet they are willing to face these risks to keep our families, our children, and our schools safe.

I am grateful for the courageous men and women who button up the uniform each day and thank them for protecting our families with bravery and pride.

Madam Speaker, while we set aside today to recognize law enforcement, may we remember, each and every day throughout the year, the courage and sacrifice of these men and women.

TERMINATION OF USE OF ARMED FORCES TO ENGAGE IN HOSTILITIES IN OR AGAINST IRAN

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, I rise today in support of my colleague Representative SLOTKIN's resolution regarding war powers.

First and foremost, I am extremely grateful that the Iranian ballistic missile attacks on Al Asad Air Base and Erbil resulted in zero injuries or casualties to our U.S. servicemembers or Iraqi allies. As always, I will continue to prioritize the safety of our deployed government officials, servicemembers, and contractors.

Madam Speaker, let me be clear: Qasem Soleimani was a terrorist, and I hope his removal from the battlefield will, in fact, improve U.S. security in the long run. That being said, in the wake of the strike on Soleimani, let us not forget that we invest in our highly capable military to promote stability, not to undermine it.

Our Founding Fathers made abundantly clear in the Constitution that only Congress has the power to authorize use of military force. This resolution that we will be voting on later today is a necessary step to ensure de-escalation with Iran while we await a clear strategy from the administration on how the President's actions will reduce the chances of Iran becoming a nuclear state.

U.S. Forces will always retain the inherent right to self-defense; however,

any further military actions that can lead to war will require congressional authorization.

NO WAR WITH IRAN

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Madam Speaker, I rise today to address what I believe is in the best interests of the American people, the Iranian people, and our global community to say: No war with Iran.

As an early opponent of the Iraq war back when I served in the New York City Council, I know we cannot afford to make reckless, irresponsible, violent decisions that put the lives of our servicewomen and -men, diplomats, and the people here and in the Middle East in danger of death and destruction.

We must exhaust all diplomatic means and put our political differences aside to stand for peaceful resolutions to human conflict before taking the ultimate step of engaging in war.

For close to 20 years now, our Nation has been engaged in low-grade war games in the Middle East with the constant threat of putting our children, our families, and our civil liberties at risk. We must oppose senseless acts of violence that take us many steps away from our progress.

When we look back in our history books and tell the next generation stories of 2020, I want us to be able to say with pride that we kept the interests of our Nation we loved at heart without provocation, without the death and destruction of war.

Madam Speaker, I stand before you today opposed to these efforts, and I support the War Powers Resolution, H. Con. Res. 83.

FOR THE PEOPLE—INFRASTRUCTURE

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Madam Speaker, as I rise today to begin discussing infrastructure, I cannot let go the remarks from my colleagues on the other side of the aisle, their being completely appalled by the Speaker not bringing over one resolution in what they believe to be a timely manner, but expressing no concern for the fact that the Senate has not taken up 400 bills that have been passed by this House, 275 that were bipartisan, from their own side.

But they have no concern for that. They do have concern for one bill. That is inappropriate, and I am very sad about my colleagues for this.

Democrats have been working hard to fulfill a promise to the Nation. Americans in the Virgin Islands and in Puerto Rico are feeling the brunt of aging and weakening infrastructure—

demonstrated by a series of recent major disasters—which the Democrats are working hard to support.

We must remain committed to rebuilding disaster-stricken communities, replacing crumbling infrastructure, and developing and deploying the infrastructure needed to connect us like never before, including through 5G.

We cannot allow the Senate and this administration to impede our efforts to make American infrastructure better, safer, and more resilient.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 9, 2020.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 9, 2020, at 9:28 a.m.:

That the Senate passed S. 1228.

That the Senate passed S. 1611.

That the Senate passed without amendment H.R. 583.

With best wishes, I am

Sincerely,

CHERYL L. JOHNSON.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 83, IRAN WAR POWERS RESOLUTION

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 781 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 781

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the concurrent resolution (H. Con. Res. 83) directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran. All points of order against consideration of the concurrent resolution are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The concurrent resolution, as amended, shall be considered as read. All points of order against provisions in the concurrent resolution, as amended, are waived. The previous question shall be considered as ordered on the concurrent resolution, as amended, to adoption without intervening motion or demand for division of the question except two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

SEC. 2. Section 7 of the War Powers Resolution (50 U.S.C. 1546) shall not apply during the remainder of the One Hundred Sixteenth Congress to a measure respecting Iran.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. BURGESS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, yesterday, the Rules Committee met and reported a rule, House Resolution 781, providing for consideration of H. Con. Res. 83 under a closed rule. The resolution also provides 1 hour of general debate, controlled by the chair and ranking minority member of the committee on Foreign Affairs.

Madam Speaker, the question before us today is very simple: Should President Trump be allowed to send the United States hurtling toward war with Iran without prior congressional approval?

It is a question we must wrestle with following the President's actions last Thursday. That is when he ordered the lethal drone attack on Iraqi soil that killed Iranian General Soleimani. The outgoing Prime Minister has said the strike was carried out without Iraqi permission or knowledge. It was done without any plan for the consequences in the region or the world. And, more troubling still, it was carried out without any input from the people's Representatives here in Congress.

Think about that.

Madam Speaker, just a month ago, Iran was staring down some of the most intense antigovernment protests in a decade. Thousands took to the streets of Tehran to express growing frustration and anger with their leaders.

But what a difference a month makes. Protestors—men, women, and children—have again taken to the streets of Tehran. Only this time, their anger wasn't directed at their own leaders; it was directed at the United States of America—all because of the President's unilateral decision.

Madam Speaker, that is what happens when monumental decisions of war and peace are made in a vacuum with no regard for the consequences. Things usually don't go very well.

Rather than protect our national security and stabilize the region, President Trump's reckless decision to strike Soleimani united Iran. It has led to retaliatory strikes on two bases used by U.S. and coalition forces in Iraq, and it has put our troops and diplomats serving overseas in greater danger.

Now, make no mistake: This decision has endangered all Americans everywhere. Hardliners are emboldened; 4,000

more U.S. troops have been deployed to the region; operations against ISIS have been suspended; the Iraqi Parliament has voted to kick American troops out of Iraq—all because of the brash decision of one man: the President of the United States.

Madam Speaker, there was no question that Soleimani was a ruthless military commander. He had American, Syrian, Lebanese, Iraqi, and Yemeni blood on his hands. But that is not up for debate today, nor is the question of whether or not killing him was a good or bad idea.

The President of the United States assassinated a high-level foreign military commander without asking or even notifying Congress beforehand.

Madam Speaker, with little evidence, the President claims his actions prevented an imminent threat, but the American people have heard that one before. We remember the stories about weapons of mass destruction in Iraq. We remember the tens of thousands of American soldiers who paid the price for that deception.

Madam Speaker, is this Congress going to sit by and allow that to happen in Iran, or are we going to ensure that this body acts before a war begins that could continue long after President Trump leaves office?

Now, the Constitution is clear; it is crystal clear. Article I, Section 8 gives Congress the power to declare war, but President Trump treated Congress as if it were an afterthought in a decision that has destabilized the region and shaken the world.

More than 4,000 of our brave men and women are now being sent to the Persian Gulf, all without any input from the people's Chamber.

We represent the brave young men and women who are deploying to Kuwait; we represent those deploying to Iraq; and we represent those deploying elsewhere across the Middle East. Each of us speaks for them, and we speak for their families, who are scared sick as their loved ones receive orders to deploy.

Madam Speaker, we must summon the courage to be their voice.

Now, I am glad that the United States and Iran have taken a step back from the brink of war, but what we heard from the President yesterday was more of the same bluster. It is clear, even after the briefing by the administration yesterday that many of us attended, that he has no clue at all—none—about what could come next.

Now, make no mistake: The world is less safe because of Trump's chaotic foreign policy. The impacts of his strikes are still reverberating in the region and across the world, and we cannot sit silently by.

The Constitution makes the President Commander in Chief, but it gives only Congress the power to declare war. The Founders knew that decisions of this magnitude required consultation between the branches of government, no matter who is in the White

House, no matter who controls the majority on Capitol Hill.

Our Democrats don't want war with Iran; most Republicans don't want war with Iran; and the American people certainly don't want a war with Iran. I think that would be catastrophic. We should be stopping costly, endless wars, not creating new ones.

But whatever you believe, have the courage of your conviction, have the courage to vote, and that is what the underlying War Powers Resolution is all about. Congress needs to authorize any additional hostilities with Iran.

Madam Speaker, these decisions aren't easy. I understand that. There is no more consequential vote than deciding whether to send men and women off to war and into harm's way. We weigh that decision knowing that, despite our hopes and prayers, lives are lost in combat.

□ 1245

Mothers and fathers could lose their children. Kids could be forced to grow up without a parent.

But when we were sworn in, each of us took an oath to defend the Constitution, and that means wrestling with this very tough decision when necessary. The only question now is whether we have the guts to uphold that oath.

Madam Speaker, with the Middle East held captive to the whims of a reckless President, and with the Commander in Chief without a clue, I pray that we, in Congress, have that courage.

On behalf of our troops, their families, and the American people, I urge my colleagues to support this rule and the underlying resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BURGESS. Madam Speaker, I yield myself such time as I may consume.

I thank Mr. MCGOVERN for yielding me the customary 30 minutes.

Today, we consider H. Con. Res. 83 or, technically, we are considering the rule to consider H. Con. Res. 83, a resolution to remove the United States Armed Forces from hostilities in Iran.

But the thing is, we are not engaged in hostilities in Iran. Once again, we are considering a measure that will have no force of law. This is a non-binding concurrent resolution.

There was some debate in the Rules Committee last night on whether a concurrent resolution under the War Powers Resolution is, in fact, non-binding. But in the Senate, a joint resolution has been introduced, making it likely that this House Concurrent Resolution will go no further than the action today.

The Constitution grants Congress the power to declare war. The Constitution also designates the President as the Commander in Chief of the Armed Forces. This sets up a conflict. The courts have not delineated the boundaries of these authorities or deter-

mined gaps between them that would either deny power to a President or to the Congress, one at the expense of the other.

In Federalist Number 69, Alexander Hamilton argued the President's power resides only in the direction of the military as placed by law at his command. Presidents have long argued that their role as Commander in Chief, coupled with their inherent authority over foreign affairs, grants them the power to engage the Armed Forces, short of war, as they see fit.

Since the founding of our country, the Supreme Court has ruled both that the President enjoys greater discretion when acting with respect to matters of foreign affairs and, that absent an authorization of action during wartime, any action by the President was void.

Despite the struggle to maintain the separation of powers with regard to engaging our Armed Forces, the motivation underlying the inclusion in the Constitution of these powers for both the President and the Congress continues to this day: The desire to protect and defend the United States, its persons, and its assets.

Congress passed the War Powers Resolution in 1973, largely in response to the experiences in Korea and Vietnam. The War Powers Resolution authorizes the engagement of the forces of the United States in hostilities when: There is a declaration of war; or there exists a specific statutory authorization; or a national emergency created by attack upon the United States, its territories or possessions, or its Armed Forces.

To assess the current situation, let's examine what has led us to this point.

In June of 2019, Iran shot down a surveillance aircraft that was flying over international waters near the Strait of Hormuz. This was an unmanned aerial drone.

At the time, President Trump was advised by his military advisers to strike back, but the President opted not to strike back because it would have resulted in Iranian casualties, and he felt he could not justify creation of human casualties because of the loss of a machine. I agree with the President in that decision. I think his restraint was remarkable, but, certainly, exemplary.

In September of 2019, Iranian cruise missiles struck nearly 20 targets of critical energy infrastructure in Saudi Arabia. This disrupted a significant portion of Saudi oil production.

In December of 2019, Iranian-backed forces in Iraq targeted military facilities where United States forces were co-located.

On December 27, an Iranian-backed Hezbollah group, a U.S.-designated foreign terrorist organization, attacked a base in northern Iraq, and they killed a U.S. contractor and wounded four U.S. servicemembers.

The United States responded, and it launched a retaliatory air strike in Iraq and Syria.

On January 2, 2020, acting on intelligence of imminent threat to American interests, and in response to the persistent attack by Iranian-backed entities, the United States military killed General Qasem Soleimani. Soleimani was the long-time leader of the Iran Revolutionary Guard Corps Quds Force.

The Iran Revolutionary Guard is a U.S.-designated terrorist organization. It has been supporting proxy forces throughout the Middle East and attacking United States interests and allies for over a decade.

Soleimani previously operated under strict security but, in recent years, he has moved much more freely and openly, believing that the United States did not have the willpower to be able to attack him. His atrocities include the deaths of hundreds of Americans and the attempted assassination of a Saudi diplomat in the United States, among other things.

President Obama's former Secretary of Homeland Security, Secretary Jeh Johnson, stated that General Soleimani was a legitimate military target.

I do want to be clear. The last thing that I want to see and I suspect anyone in this body wants to see is our men and women committed to another conflict in the Middle East. We want those conflicts to end, as does the President.

But, Madam Speaker, today the world is a safer place without General Soleimani. And who would want him to come back?

Despite the disagreement in how further to engage in the Middle East, in the country of Iran, be it militarily or diplomatically, the last thing we should be doing is broadcasting our plans to the enemy.

By passing this War Powers Resolution, directing the President to remove United States Armed Forces from hostilities with Iran, a point that is, in itself in contention, we are effectively telling the Iranian mullahs that it is okay to push forward with their aggressive posturing. Rather than stating what the President cannot do, perhaps we should be authorizing what the President can do.

Last night, in the Rules Committee, it became clear that both Republicans and Democrats agree that the world is a safer place without General Soleimani, and any war with Iran needs to be authorized by Congress seemed to be general agreement.

Democrats want to maintain the separation of powers, as do I, but the question is, to what extent are we jeopardizing our safety?

I believe Congress does need to authorize military action and maintain the separation of powers as intended by the Founders, but we don't need to broadcast it to the world.

While we may be divided on the need for this resolution, let us recognize the privilege that we enjoy each and every day, being able to stand in this House and debate these issues without fear of

retribution of our government. Those protesters in Iran did not enjoy that freedom. They cut off the internet and eliminated those protesters. That is why you don't see them anymore.

Madam Speaker, I urge opposition to this rule, and I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Let me just respond to the gentleman when he says that this is a concurrent resolution here in the House and it is nonbinding and merely symbolic. Let me point out to him that the law states clearly that this sort of resolution reins in the President. The War Powers Resolution requires the President to stop using American forces and hostilities if Congress so directs by concurrent resolution.

Moreover, the Constitution gives war powers to the Congress, not to the President. And if both Houses pass this resolution, it is a clear statement that Congress is denying the President the authority to wage war, and that the President must come to Congress for an authorization prior to further hostilities.

And by the way, we are not just pursuing a concurrent resolution. Senator KAINE of Virginia, over in the Senate, is pursuing a joint resolution; so we are covering all bases here because we are deeply concerned that we may end up in a war inadvertently here, and that Congress will have no role in it.

Again, I would urge the gentleman to read the War Powers Resolution. I have a copy here, and the accompanying report when this resolution was signed into law. The report, with regard to consultation, is crystal clear that consultation is meant prior to introducing our forces and engaging into hostilities, which is something the President didn't even notify us of.

And in terms of the President's exercising this remarkable restraint, I just have a very different opinion. Have you read his Twitter account? Have you been listening to him on TV as he brags about the shiny, expensive weapons we have that he would love to use? The rhetoric, the threat to bomb cultural sites, which is a war crime? I mean, the gentleman may be totally at ease with all of that, but I am not; and most of the American people are scared as hell of this President's rhetoric when it comes to a potential war with Iran.

All we are saying here is that we ought to stand up for this institution, and stand with the Constitution, and make it very clear that if the President wants to go to war in Iran, that he needs to come to Congress to get that declaration, to get that authorization.

Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. SHALALA), a member of the Rules Committee.

Ms. SHALALA. Madam Speaker, I rise in strong support of the War Powers Resolution to limit the President's military actions regarding Iran.

As a Member of Congress, one of our most sacred votes is our vote to declare war. We, therefore, have an obligation to study the evidence and share concerns about the administration's decision to engage in hostilities against Iran. We have a duty to question its strategy, or lack of strategy, moving forward.

My expertise, Madam Speaker, is not foreign policy, but I know Iran. I lived there. I worked there as a Peace Corps volunteer many years ago. I have been a student of Iranian history and politics for more than 3 decades.

There is no question about Iran's role in sponsoring terrorism. Soleimani himself was responsible for the deaths of hundreds of Americans and thousands around the world. He actively worked to foment instability across the Middle East on behalf of the government of Iran.

Nevertheless, the President of the United States, in his response to Iran, announced that he would commit a war crime by targeting Iran's extraordinary cultural sites. War crimes. No matter who is President of the United States, when he or she indicates that they are prepared to commit a war crime, then Congress better step up and reassert its authority under the Constitution.

We must demand that the President justify any act, and that is what this resolution does. That is why I support it.

Mr. BURGESS. Madam Speaker, let me yield myself 30 seconds for the purpose of response before I yield to Mr. COLE.

And my response would be, had the gentleman from Massachusetts yielded to me for a question, my question was going to be, was he asking for unanimous consent to change the concurrent resolution to a joint resolution such that it could align and harmonize with the Senate activity and then, therefore, maybe accomplish something. But he didn't.

Madam Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. COLE), the ranking member of the Rules Committee.

Mr. COLE. Madam Speaker, I want to thank my good friend, Dr. BURGESS, for yielding.

I rise, Madam Speaker, in reluctant opposition, quite frankly, to both the rule and the underlying legislation.

As my good friend, Chairman MCGOVERN knows, we have actually worked together to try and expand and reclaim war-making authority for the Congress of the United States, and I would offer and continue to work with him in that partnership. I think that is something that needs to be continued.

I also think we have no difference that if we were to engage in a war with Iraq, it would require congressional authorization. And frankly, last night, in the Rules Committee, I offered a process whereby we could work together in a bipartisan fashion; that is, let's just follow the War Powers Resolution.

Let's submit something to the committee of jurisdiction, which is actually the Foreign Affairs Committee. We have a deadline or a timeline laid out in the War Powers Act; they could operate within that. Within a matter of a few weeks we would then, in a very bipartisan manner, bring something to the floor.

Let's contrast that with how this particular resolution came to the floor. We got it about 45 minutes before the Rules Committee meeting. It is written in the Speaker's Office; rewritten in the Speaker's Office, and it is sent down here to make a political point, not to actually do something that would substantively restore congressional war-making power. This is all politics; that is all it is.

□ 1300

The political aim here is for our friends to suggest that the President either wants war with Iran or has acted hastily, precipitously, and recklessly. Neither of those things is true.

Frankly, our latest dispute with Iran begins with the decision by this administration appropriately to withdraw from the very ill-advised Iranian nuclear deal, a deal, by the way, that the majority of this House and the majority of the United States Senate opposed, but President Obama went ahead with it anyway.

What has been the Iranian response to our withdrawal? A series of provocations to which, as my good friend Mr. BURGESS pointed out, the President, by and large, has acted with remarkable restraint. Let's just go through some of those provocations.

First, it was attacks on ships in the Strait of Hormuz in the gulf. What was the President's response? Well, let's organize an international flotilla to defend these ships. He did not attack Iran.

Next, as my good friend from Texas pointed out, we see strikes into Iraq itself. Particularly, we see an attack on Saudi Arabian oil refineries. What is the President's response? Well, let's not attack Iran. Let's send defensive capabilities from our country there and protect those sites.

Then, we see attacks on American forces in Iraq. What is the President's response? As my friend pointed out, let's go after the Shia militias. Let's not attack Iran.

Finally, after that, when the President responds, we see another attack. In that attack, as my friend pointed out, an American contractor died, and four American servicemembers were wounded. Again, the President responds by attacking Shia militia.

Then, the next response, our embassy is assaulted. Thank goodness, no loss of life, but I think the President had had enough.

By the way, just after that assault happens, who magically shows up in violation of a U.N. resolution in Iraq? Our good friend General Soleimani, a designated terrorist for 13 years, a person who has killed hundreds of Americans, wounded thousands more, not to

mention the tens of thousands across the region. What does the President do? The President takes out a legitimate terrorist target. In Iran? No, the President doesn't want to do that. He does it in Iraq.

Now, how anybody could have any doubt about the President's desire to, number one, strike at a terrorist, and, number two, avoid war, I will never know.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 1 minute to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Madam Speaker, passing this resolution, as my good friend Dr. BURGESS suggested, sends the wrong message to the wrong people at precisely the wrong time.

The President did the right thing here. He has acted in a restrained manner. He has endured, and our country has endured, endless provocations.

We should reject this rule. Frankly, we should have a regular process where we actually go back to the committee of jurisdiction. We should absolutely reject the underlying resolution.

Before I conclude, I want to mention I know my friend is very sincere in his opinions on expanding congressional war power. There is no doubt in my mind about it. We have worked on that before. I look forward to working with my friend on that issue again. This is the wrong vehicle, the wrong place, the wrong time, the wrong consequences for our own country to pass this kind of legislation.

Mr. MCGOVERN. Madam Speaker, let me say to the gentleman from Oklahoma that I look forward to working with him on the war powers and other issues related to the executive branch encroaching on legislative powers in the future. I hope we can work in a bipartisan way and make some progress here.

I include in the RECORD a January 4 New York Times article entitled "As Tensions With Iran Escalated, Trump Opted for Most Extreme Measure."

[From the New York Times, Jan. 4, 2020]

AS TENSIONS WITH IRAN ESCALATED, TRUMP
OPTED FOR MOST EXTREME MEASURE

(By Helene Cooper, Eric Schmitt, Maggie
Haberman and Rukmini Callimachi)

WASHINGTON.—In the chaotic days leading to the death of Maj. Gen. Qassim Suleimani, Iran's most powerful commander, top American military officials put the option of killing him—which they viewed as the most extreme response to recent Iranian-led violence in Iraq—on the menu they presented to President Trump.

They didn't think he would take it. In the wars waged since the Sept. 11, 2001, attacks, Pentagon officials have often offered improbable options to presidents to make other possibilities appear more palatable.

After initially rejecting the Suleimani option on Dec. 28 and authorizing airstrikes on an Iranian-backed Shiite militia group instead, a few days later Mr. Trump watched, fuming, as television reports showed Iranian-backed attacks on the American Embassy in Baghdad, according to Defense Department and administration officials.

By late Thursday, the president had gone for the extreme option. Top Pentagon officials were stunned.

Mr. Trump made the decision, senior officials said on Saturday, despite disputes in the administration about the significance of what some officials said was a new stream of intelligence that warned of threats to American embassies, consulates and military personnel in Syria, Iraq and Lebanon. General Suleimani had just completed a tour of his forces in Syria, Lebanon and Iraq, and was planning an "imminent" attack that could claim hundreds of lives, those officials said.

"Days, weeks," Gen. Mark A. Milley, the chairman of the Joint Chiefs of Staff, said on Friday, when asked how imminent any attacks could be, without offering more detail other than to say that new information about unspecified plotting was "clear and unambiguous."

But some officials voiced private skepticism about the rationale for a strike on General Suleimani, who was responsible for the deaths of hundreds of American troops over the years. According to one United States official, the new intelligence indicated "a normal Monday in the Middle East"—Dec. 30—and General Suleimani's travels amounted to "business as usual."

That official described the intelligence as thin and said that General Suleimani's attack was not imminent because of communications the United States had between Iran's supreme leader, Ayatollah Ali Khamenei, and General Suleimani showing that the ayatollah had not yet approved any plans by the general for an attack. The ayatollah, according to the communications, had asked General Suleimani to come to Tehran for further discussions at least a week before his death.

Secretary of State Mike Pompeo and Vice President Mike Pence were two of the most hawkish voices arguing for a response to Iranian aggression, according to administration officials. Mr. Pence's office helped run herd on meetings and conference calls held by officials in the run-up to the strike.

Defense Secretary Mark T. Esper and General Milley declined to comment for this article, but General Milley's spokeswoman, Col. DeDe Halfhill, said, without elaborating, that "some of the characterizations being asserted by other sources are false" and that she would not discuss conversations between General Milley and the president.

The fallout from Mr. Trump's targeted killing is now underway. On Saturday in Iraq, the American military was on alert as tens of thousands of pro-Iranian fighters marched through the streets of Baghdad and calls accelerated to eject the United States from the country. United States Central Command, which oversees American military operations in the Middle East, said there were two rocket attacks near Iraqi bases that host American troops, but no one was injured.

In Iran, the ayatollah vowed "forceful revenge" as the country mourned the death of General Suleimani.

In Palm Beach, Fla., Mr. Trump lashed back, promising to strike 52 sites across Iran—representing the number of American hostages taken by Iran in 1979—if Iran attacked Americans or American interests. On Saturday night, Mr. Trump warned on Twitter that some sites were "at a very high level & important to Iran & the Iranian culture, and those targets, and Iran itself. WILL BE HIT VERY FAST AND VERY HARD."

The president issued those warnings after American spy agencies on Saturday detected that Iranian ballistic missile units across the country had gone to a heightened state of readiness, a United States official said on Saturday night.

Other officials said it was unclear whether Iran was dispersing its ballistic missile units—the heart of the Iranian military—to avoid American attack, or was mobilizing the units for a major strike against American targets or allies in the region in retaliation for General Suleimani's death.

On Capitol Hill, Democrats voiced growing suspicions about the intelligence that led to the killing. At the White House, officials formally notified Congress of a war powers resolution with what the administration said was a legal justification for the strike.

At Fort Bragg, N.C., some 3,500 soldiers, one of the largest rapid deployments in decades, are bound for the Middle East.

General Suleimani, who was considered the most important person in Iran after Ayatollah Khamenei, was a commanding general of a sovereign government. The last time the United States killed a major military leader in a foreign country was during World War II, when the American military shot down the plane carrying the Japanese admiral Isoroku Yamamoto.

But administration officials are playing down General Suleimani's status as a part of the Iranian state, suggesting his title gave him cover for terrorist activities. In the days since his death, they have sought to describe the strike as more in line with the killing of Abu Bakr al-Baghdadi, the Islamic State leader, who died in October in an American commando raid in Syria.

Administration officials insisted they did not anticipate sweeping retaliation from Iran, in part because of divisions in the Iranian leadership. But Mr. Trump's two predecessors—Presidents George W. Bush and Barack Obama—had rejected killing General Suleimani as too provocative.

General Suleimani had been in Mr. Trump's sights since the beginning of the administration, although it was a Dec. 27 rocket attack on an Iraqi military base outside Kirkuk, which left an American civilian contractor dead, that set the killing in motion.

General Milley and Mr. Esper traveled on Sunday to Mar-a-Lago, Mr. Trump's Palm Beach resort, a day after officials presented the president with an initial list of options for how to deal with escalating violence against American targets in Iraq.

The options included strikes on Iranian ships or missile facilities or against Iranian-backed militia groups in Iraq. The Pentagon also tacked on the choice of targeting General Suleimani, mainly to make other options seem reasonable.

Mr. Trump chose strikes against militia groups. On Sunday, the Pentagon announced that airstrikes approved by the president had struck three locations in Iraq and two in Syria controlled by the group, Kataib Hezbollah.

Jonathan Hoffman, the chief Pentagon spokesman, said the targets included weapons storage facilities and command posts used to attack American and partner forces. About two dozen militia fighters were killed.

"These were on remote sites," General Milley told reporters on Friday in his Pentagon office. "There was no collateral damage."

But the Iranians viewed the strikes as out of proportion to their attack on the Iraqi base and Iraqis, largely members of Iranian-backed militias, staged violent protests outside the American Embassy in Baghdad. Mr. Trump, who aides said had on his mind the specter of the 2012 attacks on the American compound in Benghazi, Libya, became increasingly angry as he watched television images of pro-Iranian demonstrators storming the embassy. Aides said he worried that no response would look weak after repeated threats by the United States.

When Mr. Trump chose the option of killing General Suleimani, top military officials, flabbergasted, were immediately

alarmed about the prospect of Iranian retaliatory strikes on American troops in the region. It is unclear if General Milley or Mr. Esper pushed back on the president's decision.

Over the next several days, the military's Special Operations Command looked for an opportunity to hit General Soleimani, who operated in the open and was treated like a celebrity in many places he visited in the Middle East. Military and intelligence officials said the strike drew on information from secret informants, electronic intercepts, reconnaissance aircraft and other surveillance tools.

The option that was eventually approved depended on who would greet General Soleimani at his expected arrival on Friday at Baghdad International Airport. If he was met by Iraqi government officials allied with Americans, one American official said, the strike would be called off. But the official said it was a "clean party," meaning members of Kataib Hezbollah, including its leader, Abu Mahdi al-Muhandis. Mr. Trump authorized the killing at about 5 p.m. on Thursday, officials said.

On Friday, missiles fired from an American MQ-9 Reaper blew up General Soleimani's convoy as it departed the airport.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. MORELLE), a member of the Rules Committee.

Mr. MORELLE. Madam Speaker, I thank the distinguished chair and my colleague from the Rules Committee, Mr. MCGOVERN, for yielding me this minute.

We begin the new year in turbulent and uncertain times, particularly with regard to Iran and the Middle East. Protecting our national interests and securing the safety and security of the American people must be the highest priorities of our government. I am gravely concerned the recent actions of the Trump administration have destabilized the region and undermined those priorities.

Article I of the United States Constitution vests in the House and Senate the responsibility to declare war, to appropriate money for the national defense, and, in doing so, to ensure no President employs military action without careful consultation of and authorization by Congress.

That is why it is so important that we take action to reaffirm these responsibilities by passing the resolution before us, which I am proud to cosponsor.

The use of United States Armed Forces to engage in hostilities against Iran must come only after thoughtful deliberation and approval by Congress. As we move forward, we must all seek to achieve a peaceful resolution that protects American interests at home and abroad.

I join with all Americans in praying for the safety of our courageous servicemembers and urge my colleagues to support this rule and the underlying resolution.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentlewoman from Arizona (Mrs. LESKO), a valuable member of the House Committee on Rules.

Mrs. LESKO. Madam Speaker, I thank the gentleman for yielding.

First, I thank President Trump for making a decisive action to protect Americans. Thank you.

The world now knows that Obama's appeasement strategy policies, including giving billions of dollars to Iran, are over. It didn't work. The world knows that when President Trump says we are not going to cross this red line, they know he means it.

In Rules Committee last night and again today, I listened as my Democratic colleagues claim what this resolution is all about. They claim that it is about making sure Congress exerts its authority to approve future war against Iran. But that is not what this resolution does.

In fact, let's read the title of this resolution. It says: "Directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran." It doesn't say anything about future war.

We do not currently have U.S. Armed Forces engaged in hostilities in or against Iran. If Democrats are serious about making sure Congress has its say in declaring war, they would follow the statutory guidelines as described by Representative COLE. They are already in there. Go to the Foreign Affairs Committee.

Instead, Democrats have chosen to short circuit the process yet again to achieve a partisan objective.

As a member of the Rules Committee, I saw the language of the resolution 45 minutes before the Rules Committee started. This is not a serious effort for such a serious subject.

Here are the facts. Iran and Iranian-backed militias have escalated their attacks.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. Madam Speaker, in June 2019, Iran shot down a U.S. drone. Trump said, no, we are not going to retaliate because no U.S. lives were lost. Iran attacked Saudi oil fields. Iran-backed militia killed a U.S. citizen and wounded four troops. Then, an Iran-backed militia attacked the U.S. Embassy.

Soleimani was a terrorist designated by the Obama administration.

Let me read very quickly what the Joint Chiefs of Staff have said. He has had 40 years of military experience under all different administrations.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. BURGESS. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. General Milley said the trigger for the drone strike that killed

Soleimani was "clear, unambiguous intelligence indicating a significant campaign of violence against the United States in the days, weeks, and months," and that the administration would have been "culpably negligent" if it did not act.

This is a man who has been in the military for 40 years under different administrations, and you are going to doubt what he has to say?

I thank President Trump for protecting American citizens.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. MCGOVERN. Madam Speaker, I include in the RECORD a January 8 Vanity Fair article entitled "There Is No Strategy: Diplomats React to Trump's Erratic, Narcissistic Iran Policy."

[From Vanity Fair, Jan. 8, 2020]

"THERE IS NO STRATEGY": DIPLOMATS REACT TO TRUMP'S ERRATIC, NARCISSISTIC IRAN POLICY

(By Abigail Tracy)

After the American drone strike and Iran's measured retaliation, some State vets worry that Trump is a wild card, the biggest danger: "From a political standpoint," says one, "they have behaved a hell of a lot more rationally and predictably than we have."

In the aftermath of Iran's strike against two airbases, in retaliation for the drone strike that killed Qasem Soleimani last week, a sigh of relief was breathed, but for what? That there had been no casualties from Iran's cruise missiles was a huge reason to be thankful. (U.S. officials have since suggested this was intentional.) But there was also a sense of relief that Trump had stepped back—as if he were the wild card. The developments laid bare what diplomats I spoke with identified as a discomfiting reality in the Trump era. "Up is down and down is up," a former U.S. ambassador in the region told me, noting Iran's decision to notify the Iraqis ahead of the attack on Tuesday and Mohammad Javad Zarif's message of detente in the face of Trump's bluster. "Who would've imagined that it's the American president who is a crazy person gunning for war and the mullahs who are being careful and deliberate and cautious . . . They have done terrible things—I am not going to defend the fact that the country holds hostages and has absolutely supported terrorist groups and those sorts of things—but from a political standpoint, they have behaved a hell of a lot more rationally and predictably than we have," this person added. "Do you take comfort in the fact that Iran is the rational actor or does that scare the bejesus out of you even more?"

A former Foreign Service Officer who worked on Iran under Barack Obama echoed the point. "I think it is interesting that [Iran has taken] every opportunity to show that they're actually more responsible than the U.S. president in executing this conflict," this person said. "It boggles the mind to me that we are almost more concerned, I think, about our own president than we are about the way others may retaliate, which is really scary."

Diplomats I spoke with are clear-eyed in their belief that Iran's retaliation for Soleimani is not complete; they are bracing for—if not further military attacks—subsequent responses, such as cyberattacks or even kidnappings. To a fault, they, too, are not defending Iran's past malfeasance. And Trump's position on the wake of the attacks is welcomed by veterans of Foggy Bottom.

"President Trump made the right decision not to respond to Iran's missile attacks. There were no American casualties and the Iranians are clearly signaling they don't want a war," Nicholas Burns, the former ambassador to NATO, told me. The problem is that Trump has thus far failed to chart a path forward with Iran. Instead, he has shuttled between slamming Iran, slighting his predecessor's signature Iran nuclear deal, and patting himself on the back for the death of Soleimani and Abu Bakr al-Baghdadi, the former leader of the Islamic State whom the United States killed in October. "His speech was confusing about his strategy. It is not at all clear if he intends to contain Iran through deterrence or to weaken its government and seek regime change," Burns added. "He owes the American public, the Congress, and our allies a much more specific and consistent game plan. Otherwise, it will be difficult for him to gain domestic and allied support."

As I reported in the aftermath of the Soleimani's killing last week, a chief concern within the diplomatic ranks was that the Trump administration, still lacking a coherent foreign policy, had failed to adequately contemplate and prepare for the international and Iranian response to the airstrike against the top Iranian general. Indeed, the Trump administration certainly appeared to be caught flat-footed when the Iraqi parliament voted to expel U.S. troops from the country over the weekend. While asserting that the killing of Soleimani left Americans safer, Secretary of State Mike Pompeo and Defense Secretary Mark Esper have yet to detail the imminent threat they claim the Iranian general posed to U.S. interests. And Trump's remarks on Wednesday arguably raised more questions than they answered. As the former ambassador in the region put it, "There is no strategy. It is satisfying Trump's ego at every step. It's all it is for us, there is zero strategy and it's all strategy on Iran's side."

Beyond his "America First" tagline, Trump has failed to formulate anything resembling a coherent foreign policy. Rather, he has a domestic policy that influences American posturing abroad. The clearest through line in Trump's various foreign policy decisions can largely be summed up as "the opposite of what Obama did." But this lack of coherence is particularly troubling in the Middle East and is amplified by the reality that he's surrounded by hawks with hard-ons for toppling the Iranian regime, like Pompeo. "The most frustrating thing is that this is entirely of his own making. You think about where we were less than five years ago, when we got to the deal. Things certainly weren't perfect by any means. They were still causing a lot of harm and doing things against our interests in the region, but compare that to where we are today and it is so entirely avoidable," the former Foreign Service officer told me. "The lack of a strategy continues to be the most dangerous thing we can do in the Middle East."

A former high-ranking State Department official expressed similar dismay. "Foreign policy isn't well-done on impulse. Because so much is intertwined . . . It requires the ability to understand the trade-offs and possible longer-term impacts. Never easy. But this team has no ability to do that," they told me. "If I were a military family member, I'd really worry that our troops are being sent out with no clear plan or mission. Not a comforting thought."

If Trump really does have an appetite for diplomacy, that's undeniably a positive development. Diplomats stress that now is the time for it, and the Iranians do seem to be signaling a desire deescalate. "Now we're in

the time of intense diplomacy, where around the world leaders are figuring out, 'If you do this, I do that' and 'What will be the response of X if we do Y,'" a former senior U.S. official told me. But, this person added, "The only ones not taking part are the Americans." Instead, "America is content with a two-dimensional policy: We take this act, we stand still and watch what happens. The other countries are at least trying to be three-dimensional, adding the element of time, projecting to the not-too-distant future which advantages are to be gained."

In an ideal world, Burns said, Trump would open a reliable diplomatic channel to Tehran. "We should want to be able to deliver tough and clear messages to its government. And it would be smart to offer Iran a diplomatic off-ramp so that we can end the possibility of a wider war that is in neither of our interests," he said. "Trump's disinterest in real diplomacy is a significant disadvantage for the U.S."

Confronting a president who has repeatedly demonstrated a desire to dive into military conflict before diplomacy, Congress is grappling with how to restrain Trump. California congressman Ro Khanna told me the attacks on Tuesday increase "the urgency for Congress to act. We need to engage in de-escalation and a cease-fire to end the cycle of violence." Currently on the table are a few measures House Democrats hope can curb Trump's authority to attack Iran. Among them are a War Powers Resolution and a bill drafted by Khanna and Senator Bernie Sanders that would defund any offensive action in Iran and require any such action to have Congressional authorization.

Khanna told me that the Democratic caucus is unified and that he has been in talks with Speaker Nancy Pelosi about timing and process. The House is expected to vote on a War Powers Resolution, after which they would push his bill with Senator Sanders. Currently, House leadership is figuring how to craft a War Powers Resolution in a way that would prevent Republicans from attaching a Motion to Recommit, which could prevent it from reaching the Senate floor—as was the case with the War Powers Resolution on Yemen. "That is why it is taking some time," Khanna explained. "It is taking time to figure out the procedural mechanisms with the parliamentarian in the House and the Senate so that what we send over to the Senate doesn't lose its War Powers privileged status. If it loses its privileged status, then [Mitch] McConnell would never call it up."

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who read a couple of lines from the resolution, as I urge all of my colleagues, to read the entire resolution.

This is pretty simple. Basically, it says that if we go to war with Iran, Congress ought to have a say in it. Congress ought to do what the Constitution requires us to do.

I don't know why that is a radical idea, but if my friends want to go to war with Iran, they have to have the guts to come to the floor to debate it and vote on it.

Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, the President cannot unilaterally go to war with Iran, nor are we safer since January 2, 2020, after having targeted

and killed the second-in-command of Iran. The American people, as well as our troops, are in more jeopardy.

In 2002, I was here, and I offer these words from my statement on the floor regarding President Bush. "Always a question of the greatest importance, our decision today," in 2002, "is further weighted by the fact that we are being asked to sanction a new foreign policy doctrine that gives a President the power to launch a unilateral and preemptive first strike against Iraq before we have utilized our diplomatic options."

I further went on to say that "our own intelligence agencies report that there is currently little chance of chemical and biological attack from Saddam Hussein on U.S. forces or territories."

Proven right, endless war, continuous loss of life of our treasured young men and women and many injured—this resolution and rule are imperative to assert constitutional authority to ensure the protection of the American people.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), a valuable member of the Armed Services Committee.

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, I thank the gentleman for yielding.

I join my colleagues in expressing the will to have an honest debate of the War Powers Act, should the majority party choose to do so.

Before I move any further, I submit for the RECORD a report from the Director of National Intelligence on Barack Obama's use of drones, an average of 67 drone strikes a year over his first 7 years in office, killing an average of six enemy combatants a week, wherein the majority said absolutely nothing about it at the time.

SUMMARY OF INFORMATION REGARDING U.S. COUNTERTERRORISM STRIKES OUTSIDE AREAS OF ACTIVE HOSTILITIES

In accordance with the President's direction and consistent with the President's commitment to providing as much information as possible to the American people about U.S. counterterrorism activities, the Director of National Intelligence (DNI) is releasing today a summary of information provided to the DNI about both the number of strikes taken by the U.S. Government against terrorist targets outside areas of active hostilities and the assessed number of combatant and non-combatant deaths resulting from those strikes. "Areas of active hostilities" currently include Afghanistan, Iraq, and Syria.

SUMMARY OF U.S. COUNTERTERRORISM STRIKES OUTSIDE AREAS OF ACTIVE HOSTILITIES BETWEEN JANUARY 20, 2009 AND DECEMBER 31, 2015

Total number of strikes against terrorist targets outside areas of active hostilities: 473.

Combatant deaths: 2372-2581.

Non-combatant deaths: 64-116.

The assessed range of non-combatant deaths provided to the DNI reflects consideration of credible reports of non-combatant deaths drawn from all-source information, including reports from the media and non-

governmental organizations. The assessed range of non-combatant deaths includes deaths for which there is an insufficient basis for assessing that the deceased is a combatant.

U.S. GOVERNMENT POST-STRIKE REVIEW PROCESSES AND PROCEDURES

The information that was provided to the DNI regarding combatant and non-combatant deaths is the result of processes that include careful reviews of all strikes after they are conducted to assess the effectiveness of operations. These review processes have evolved over time to ensure that they incorporate the best available all-source intelligence, media reporting, and other information and may result in reassessments of strikes if new information becomes available that alters the original judgment. The large volume of pre- and post-strike data available to the U.S. Government can enable analysts to distinguish combatants from non-combatants, conduct detailed battle damage assessments, and separate reliable reporting from terrorist propaganda or from media reports that may be based on inaccurate information.

DISCREPANCIES BETWEEN U.S. GOVERNMENT AND NON-GOVERNMENTAL ASSESSMENTS

In releasing these figures, the U.S. Government acknowledges that there are differences between U.S. Government assessments and reporting from non-governmental organizations. Reports from non-governmental organizations can include both aggregate data regarding non-combatant deaths as well as case studies addressing particular strikes, and generally rely on a combination of media reporting and, in some instances, field research conducted in areas of reported strikes. Although these organizations' reports of non-combatant deaths resulting from U.S. strikes against terrorist targets outside areas of active hostilities vary widely, such reporting generally estimates significantly higher figures for non-combatant deaths than is indicated by U.S. Government information. For instance, for the period between January 20, 2009 and December 31, 2015, non-governmental organizations' estimates range from more than 200 to slightly more than 900 possible non-combatant deaths outside areas of active hostilities.

Consistent with the requirements applicable to future reporting under Section 3(b) of the Executive Order "United States Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force," the information we are releasing today addresses general reasons for discrepancies between post-strike assessments from the United States Government and credible reporting from non-governmental organizations regarding non-combatant deaths and does not address specific incidents. There are a number of possible reasons that these non-governmental organizations' reports of the number of noncombatants killed may differ from the U.S. Government assessments, based on the information provided to the DNI.

First, although there are inherent limitations on determining the precise number of combatant and non-combatant deaths, particularly when operating in non-permissive environments, the U.S. Government uses post-strike methodologies that have been refined and honed over the years and that use information that is generally unavailable to non-governmental organizations. The U.S. Government draws on all available information (including sensitive intelligence) to determine whether an individual is part of a belligerent party fighting against the United States in an armed conflict, taking a direct part in hostilities against the United States, or otherwise targetable in the exercise of na-

tional self-defense. Thus, the U.S. Government may have reliable information that certain individuals are combatants, but are being counted as non-combatants by non-governmental organizations. For example, further analysis of an individual's possible membership in an organized armed group may include, among other things: the extent to which an individual performs functions for the benefit of the group that are analogous to those traditionally performed by members of a country's armed forces; whether that person is carrying out or giving orders to others within the group; or whether that person has undertaken certain acts that reliably connote meaningful integration into the group.

Second, according to information provided to the DNI, U.S. Government post-strike reviews involve the collection and analysis of multiple sources of intelligence before, during, and after a strike, including video observations, human sources and assets, signals intelligence, geospatial intelligence, accounts from local officials on the ground, and open source reporting. Information collected before a strike is intended to provide clarity regarding the number of individuals at a strike location as well as whether the individuals are engaged in terrorist activity. Post-strike collection frequently enables U.S. Government analysts to confirm, among other things, the number of individuals killed as well as their combatant status. The information is then analyzed along with other all-source intelligence reporting. This combination of sources is unique and can provide insights that are likely unavailable to non-governmental organizations.

Finally, non-governmental organizations' reports of counterterrorism strikes attributed to the U.S. Government—particularly their identification of non-combatant deaths—may be further complicated by the deliberate spread of misinformation by some actors, including terrorist organizations, in local media reports on which some non-governmental estimates rely.

Although the U.S. Government has access to a wide range of information, the figures released today should be considered in light of the inherent limitations on the ability to determine the precise number of combatant and non-combatant deaths given the non-permissive environments in which these strikes often occur. The U.S. Government remains committed to considering new, credible information regarding non-combatant deaths that may emerge and revising previous assessments, as appropriate.

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, if we want to have an honest debate about the War Powers Act, then let's have an honest debate about the War Powers Act.

Why didn't we hear anything from our colleagues on the other side of the aisle about Libya when President Barack Obama took action that led to the death of Muammar Qadhafi? Why not Syria? Why not Yemen? Why is Iran individually spelled out in this resolution?

The only reason Iran is singled out in this resolution is to take a political jab at President Trump for utilizing an airstrike to take out General Soleimani, a terrorist who was responsible for killing thousands of Americans, partner troops, and, yes, Iranians.

While our colleagues are upset with the use of airstrikes to kill General Soleimani, I remind them that the Obama administration, according to

their own Director of National Intelligence, conducted hundreds of airstrikes, averaging more than six kills a week between January 2009 and December 2015, and that was in areas of non-hostilities. That doesn't even include Iraq, Afghanistan, and Syria, which are classified numbers.

Let's just be honest about what this is. This is another partisan attack against the President of the United States for killing General Soleimani, who was a terrorist in an area where the President had the absolute legal authority to operate.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume to respond to the gentleman from Georgia, who I have a great deal of respect for.

Let's be honest here. Many of us, contrary to what the gentleman just said, have been outspoken against unilateral interventions by the executive branch without notifying Congress, without seeking our approval on military authorization under Obama. I, for one, was critical of his drone attacks. I raised issues about our involvement in Syria.

I include in the RECORD a statement that I made, saying that Congress should reconvene and debate and vote on a resolution with regard to what the Obama administration was doing in Libya.

[Press Release, March 23, 2011]

CONGRESSMAN MCGOVERN STATEMENT ON LIBYA

WASHINGTON, DC.—For several weeks now I have been calling for an internationally-enforced no-fly-zone over Libya in order to prevent Colonel Qaddafi from slaughtering his own people. I agree with President Obama that U.S. ground troops should not be committed to this effort, and that our international partners should soon take the lead. Whether or not Qaddafi remains the leader of Libya must, in the end, be up to the Libyan people. I am troubled about pressure to expand the military operation and the many unanswered questions about Libyan opposition forces. I urge the House leadership to call the Congress back into session as soon as possible so that Congress can exercise its constitutional responsibility to clearly spell out the mission and limits of U.S. military engagement in Libya. And I urge the Obama Administration to consult with Congress and to engage us at every possible opportunity as this crisis continues to unfold.

Mr. MCGOVERN. Madam Speaker, some of us have been consistent on this through Democratic and Republican administrations. I take great exception when anybody tries to say that we are raising this issue just purely for political purposes.

For me, it is not. For me, I have been consistent on this through Democratic and Republican administrations.

□ 1315

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate my friend from Massachusetts setting the record straight. The war powers activity, the authorization

of military force has been an issue that a number of us have been concerned with, Republican and Democrat, going back to the Clinton administration and activity in the Balkans, but what my friend from Massachusetts pointed out is that this reckless act by the President of the United States actually makes us less safe.

With one act, he has been able to unite the opposition in Iran. Remember, they were demonstrating in the streets against the regime. And I have heard from friends of mine who have deep roots in Iran that this has probably set back the cause of reform years, if not decades, in Iran.

We are less safe, not more.

I strongly urge the approval of this resolution as a start to rein in the President's worst impulses, but we must also put in additional checks, by passing Representative KHANNA's legislation to ensure no funds are used for an unauthorized war with Iran and Representative LEE's legislation to repeal the 2002 AUMF.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Madam Speaker, I yield an additional 15 seconds to the gentleman.

Mr. BLUMENAUER. Madam Speaker, this is an opportunity for us to get it right. And to take our friend, Mr. COLE's, word, we can move this forward. I see this as a beginning, and we can build on it, but rein in this administration.

Send a strong signal. Approve this resolution.

Mr. BURGESS. Madam Speaker, may I inquire the amount of time remaining?

The SPEAKER pro tempore. The gentleman from Texas has 12 minutes remaining. The gentleman from Massachusetts has 13¾ minutes remaining.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY), a valuable member of the House Committee on Foreign Affairs.

Mr. PERRY. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, this resolution is insincere and unserious. It is insincere because this is just: We don't like the President and he took action, and we can't stand it.

It is unserious, because if they really wanted to limit the actions of our government to defend our country and defend those in uniform, this wouldn't be a nonbinding resolution, they would limit it. If they want to limit it, go ahead and do it.

For the people in America that say, "Well, we don't know this Soleimani guy. How come we don't know him?" That is a great question. How come they don't know?

Well, let me introduce folks to him. He got busy with his work as a terrorist in Beirut, killing 241 marines; the Khobar Towers, killing Americans; hundreds of American personnel wearing uniforms dead by EFPs, explosively

formed penetrators; and thousands maimed walking around the United States, walking around the Halls of this Congress. That is Soleimani.

But they don't know him because this body, the executive branch, Republicans and Democrats, have sent their young men and women to war without dealing with this killer, this terrorist, because it was too hard, too hard in Iraq to deal with Iran, because it might make them mad, they might do something about it.

Our colleagues say that the President is reckless, without a plan.

Here is what is reckless: appeasement. Appeasement has gotten Americans killed, has gotten people around the globe killed because of this guy. What is the point of designating him a terrorist if you are not going to do anything about it?

Doing the bidding of Iran on this floor is unacceptable. We don't want to be in a war, that is true, nobody wants to be in a war, but I have got a news flash for everybody: Iran slapped us in the face in 1979 and they have been fighting with us ever since.

Us saying we are not going to defend ourselves does not stop Iran from fighting the war that they have with us. Appeasing Iran will only kill more Americans. It hasn't worked.

That is what is happening here today, Madam Speaker: the defense of the appeasement strategy of the last administration and administrations in the past.

We cannot allow this strategy to continue and Americans to be killed or Iran to have a nuclear weapon.

Mr. MCGOVERN. Madam Speaker, I would just urge my colleagues to read the resolution. This is about the future and it is about whether or not, if we go to war with Iran, whether or not Congress upholds its constitutional responsibility.

Madam Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Madam Speaker, I thank the gentleman for yielding.

The President's policy towards Iran is to tear up diplomacy and embrace so-called maximum pressure.

The most recent strike, far from making us safer, is making us more insecure.

Think about the deliberate consequences from that act:

One, the Iraqi street is demonstrating against the U.S., not against Iran, as they were before;

Two, the Iranian street is demonstrating with the mullahs against the U.S. instead of against their own government;

Three, the Iraqi parliament voted to expel the United States from Iraq, jeopardizing our anti-ISIS mission;

Number four, our military has suspended training for anti-ISIS activities in Iraq because of this strike;

Number five, the Iran nuclear deal that the President tore up that Iranians complied with, they are now re-

nouncing, so we are closer to a nuclear Iran than we were before.

All of this has happened when the likelihood of Iran's further responding is grave.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Madam Speaker, I yield an additional 15 seconds to the gentleman.

Mr. WELCH. Madam Speaker, the gun is cocked and loaded.

We cannot go to war without Congress being involved in the debate and the President telling us what his policy is going to be.

Mr. BURGESS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for immediate consideration of H. Res. 783, honoring the members of the military and intelligence community for carrying out the mission that killed General Soleimani.

Madam Speaker, I ask unanimous consent to insert the text of this amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. CRENSHAW), my good friend, to explain the resolution.

Mr. CRENSHAW. Madam Speaker, I thank the gentleman for yielding.

I rise to urge defeat of the previous question so that we can immediately consider my resolution to honor the hard work and dedication of the men and women who made the precision strike on Qasem Soleimani possible.

This is an interesting crossroads we find ourselves in. After the successful response by the United States against the escalating aggression from the world's most active and deadly terrorist, Qasem Soleimani, our great country has found itself divided and unsure of itself.

Instead of unity and resolve in the face of a clear and common enemy, we have division and self-doubt. What is worse, that division has been sourced from the leadership in this very body.

While legitimate questions were raised—what authority was used, what was the reasoning, what sort of intelligence backed this decision—those questions have long been answered clearly and convincingly.

The President has clear authority, a duty in fact, to respond to attacks against American citizens and U.S. forces. That isn't my opinion; that is clear from Article II of the Constitution and the War Powers Resolution.

The case is made even stronger when you consider this occurred entirely within Iraq, a place where we already have a lawful military operational footprint.

The reasoning is quite simple as well: We must make clear that the U.S. will not be attacked indefinitely, that we will respond, and that response will make you regret ever having hit us in the first place.

The long history of General Soleimani's actions against the United States throughout the region, and the killing and maiming of thousands of America's sons and daughters, and indications of his future actions make this point even stronger.

As to the intelligence, our CIA, our Director of National Intelligence, our Chairman of the Joint Chiefs of Staff have repeatedly told us that this intelligence was some of the best they had ever seen, and it removed all doubt that Soleimani was planning large scale imminent attacks.

These questions have been answered over and over and over, and yet my colleagues pretend not to hear those answers. After all, the mere thought of agreeing with and supporting our President is repugnant to them even when it is the right thing to do.

So instead of applauding these actions that restored American deterrence, delivered justice to hundreds of dead American soldiers and their families, and severely weakened the terrorist organization IRGC Quds Force, my colleagues wring their hands and express regret and disappointment.

Instead of applauding the men and women of our military standing in harm's way, instead of recognizing the tireless vigilance of our intelligence community, instead of acknowledging those who have spent years confronting the Iranian threat network directly, my colleagues in this Congress seek to undermine them.

I take this personally, since I was one of those servicemembers for so many years.

This threat is not new to us, though it may be new to those politicians who have lived comfortably and safely back home, now casting stones from ivory towers, relying on disingenuous judgments and false premises to make a false, politically-driven case to the American people.

So I offer this resolution today in order to right that wrong. I offer this to demonstrate to the American people and our servicemembers and members of the intelligence community that this Congress does indeed stand by the decision to rid the world of America's enemies and those who seek to do us harm and stands by those who made justice possible.

This resolution simply states the obvious: that General Soleimani was head of one of the most sophisticated terrorist organizations in the world that already committed numerous attacks against the United States and planned to carry out many more within days.

This resolution rightfully congratulates our men and women who disrupted this evil chain of attacks, instead of wrongly suggesting to them that their actions were unauthorized and even immoral.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 15 seconds to the gentleman.

Mr. CRENSHAW. Madam Speaker, I ask my colleagues to support this resolution and put to rest once and for all the false implication that America cannot defend herself when necessary.

Madam Speaker, I urge defeat of the previous question.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Madam Speaker, late last week, President Trump ordered the assassination of a high-ranking Iranian official while he was in Iraq.

This action threatens to cascade the United States into an ill-advised, not authorized war with Iran, and is already setting into motion a series of disastrous unintended consequences for American security and interests in the Middle East.

The President trashed the Joint Comprehensive Plan of Action, which Iran was following and that put in place the first real restraints on Iran's nuclear program. The world and America were safer under the JCPOA framework, period.

Enter Trump, and now we see Iranian rockets firing, U.S. forces being pushed out of Iraq, and alliances strained as we all await further retaliations.

Oh, history is replete with the misery befalling those poor empires who first fight and mistake that for might.

This escalation with Iran must end, Congress must reassert its war powers authority, and I urge adoption of the resolution.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER), a valuable member of the Energy and Commerce Committee and the Committee on Armed Forces.

Mr. KINZINGER. Madam Speaker, I thank the chairman for yielding.

Sometimes when I watch the debate, I wonder what happened to the confident America that I remember; that when a failing country threatens us, we actually respond with force instead of fear and run away.

That said, this process argument that we are having is interesting, but as my colleague said earlier, maybe they forgot something.

So I am going to urge defeat of the previous question, because I think in this resolution, something major was forgotten, maybe they can re-craft it, bring it back later, but that is this: I hear my friends on the other side of the aisle say that Mr. Soleimani was a bad guy and they are glad he is dead. However—process argument follows—I think something has been left out of this.

When I was in Iraq in 2008 and 2009, I operated mostly against terrorist networks of a different nature, but about a quarter of my operations were against terrorist networks from Mr. Soleimani.

So these attacks against Americans, we talked about the dead Americans from Iraq, these have been going on for a very long time, and I was part of the response to that.

One of the most important things we can do, if we are going to have this process argument, is appreciate the men and women, not just of the military, but of the intelligence community, of the State Department, of everywhere that has worked to bring the intelligence to bring this evil man to justice.

I heard somebody earlier say we should have just captured him. Well, think of the risk that would have put to our military. So maybe we should at least appreciate the job that they are willing to do. That is going to be essential.

I often hear my friends talk about keeping the military safe, as if that is the end state of the military.

The military's job that they volunteer for every day is to keep the American people safe, and that is exactly what was done a week ago in the death of Soleimani.

So, Madam Speaker, I urge my colleagues to defeat the previous question so that we can give them an opportunity and pass this resolution appreciating the men and women of the intelligence community and the military. That is the least we can do after this debate on the floor.

□ 1330

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Madam Speaker, as a Member of Congress, I take my duty to protect and defend our Nation's interests very seriously. The President's reckless and irresponsible actions toward Iran have endangered our servicemembers, diplomats, and allies, and they have worked counter to American security interests. Those include dangerous decisions to pull out of the successful Iran deal and kill Commander Soleimani, drastically ratcheting up tensions in the region.

In the context of the administration's failure to demonstrate an imminent threat to our Nation, there is no authority for such an action without authorization from Congress. What makes this even more dangerous is that the President has no clear strategy.

Under the Constitution, President Trump does not have the authority to unilaterally wage war. That is why, today, I support this rule and the underlying resolution, which directs the President to end hostilities with Iran and to keep our troops in America safe.

I urge my colleagues to support this resolution.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WALTZ).

Mr. WALTZ. Madam Speaker, Qasem Soleimani, as we have discussed, many of us have discussed here today, was a

terrorist and a terrorist supporter, and hundreds of American troops were killed because of him. Many of them are scarred for life.

I don't think we can overstate, in this body, how gruesome, how advanced, how effective the explosive devices that he poured into his militias were. They were deadly. They were manufactured in Iran. They were put in place by Iran. They were trained by Iran. They had the capability to completely penetrate our armored vehicles.

Soleimani worked hand in hand, in addition to this, with Assad in Syria, a serial human rights abuser, and waged even chemical warfare on his own people, literally killing tens of thousands. And because of him, today, hundreds, if not thousands, of families, including Gold Star families, just this past holiday, couldn't open up presents with their loved ones. No longer will they celebrate birthdays or holidays because of this one evil man.

This terrorist, because of his savage actions, I, as a former Green Beret who operated against these thugs for years, am grateful to the intelligence officer, as my colleague Mr. KINZINGER just mentioned, to the members of the military who carried out this mission to prevent more lives from being lost.

Soleimani was actively planning attacks in the coming weeks, in the coming days, in the coming months. According to the Chairman of the Joint Chiefs of Staff, these attacks were imminent, they were clear, and they were a present danger for our troops, to our allies, and to our interests.

From an oversight perspective, the President had a duty to act; and I, for one, would be screaming from the rooftops if he had not taken appropriate action.

So, again, Madam Speaker, I am thankful for his leadership taking this monster out. Frankly, this should have been done a long, long time ago, years ago, by multiple previous administrations. It astounds me that this is up for debate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Madam Speaker, I yield to the gentleman from Florida an additional 15 seconds.

Mr. WALTZ. For those of you saying actions have consequences, let me remind you that inaction has consequences. Go to Walter Reed or Arlington, or go visit the American contractor, as though that is some kind of term, the American that was killed just last week. His name was Nawres Waleed Hamid. He is from Sacramento. He is from California, and he was just buried.

I think the answer for most Americans is this was warranted. It certainly was for me.

I urge my colleagues to vote against the previous question and consider this resolution.

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, the War Powers Resolution simply requires the President to consult with the Congress and with the American public before going to war with Iran.

Our constituents held their breath on Tuesday. Thankfully, no lives were lost in Iran's retaliatory attack, but serious concerns remain about the rationale and the ramifications.

We do not mourn the loss of Qasem Soleimani. He was responsible for actions that harmed and killed American personnel and allies, and I condemn that. But any U.S. military action, especially one that could spark catastrophic consequences, needs to be carefully considered, fully justified within the law.

President Trump failed to consult the Congress, failed to secure specific authorization, failed to cite with specificity the imminent threat. In a classified briefing for Members of Congress, the administration would not, could not provide any specifics about what constituted an imminent threat. They couldn't tell us what the targets were, nor would they divulge any of the timelines for the attack.

It is unprecedented the level at which this administration is seeking to obscure the facts from the Congress and the American people. The rationale is in doubt, the ramifications as well: The U.S. announced it will suspend our fight against ISIS; Iraq's Prime Minister and the legislature moved to expel our troops; the Iranian leaders announced they would no longer abide by the 2015 nuclear deal.

President Trump's actions have dramatically increased the possibility of war with Iran and Iran's pursuit of a nuclear weapon. Today, America and our allies are less safe as a result of the administration's actions.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Madam Speaker, I yield to the gentlewoman from Connecticut an additional 30 seconds.

Ms. DELAURO. Let us reassert the Congress' role to ensure that the President—any President—is complying with the law and is not conducting lengthy military actions without congressional approval.

Let us prevent another unnecessary war. Let us vote for this rule and this resolution.

Mr. BURGESS. Madam Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Texas has 1 minute remaining.

Mr. BURGESS. Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I am proud to yield 3 minutes to the gentleman from Maryland (Mr. RASKIN), a distinguished member of the Rules Committee.

Mr. RASKIN. Madam Speaker, the Constitution gave Congress the power to declare war. The Constitution gave Congress the power appropriate money

for war. The Constitution gave us the power to raise and support armies and to provide and maintain a Navy.

Why? Why didn't the Framers just give the President the power to declare and wage war? After all, the President is made Commander in Chief of the Army and Navy and militias when called into the actual service of the United States. It would have been a lot simpler to say let the President go to war whenever he wants. Why didn't they do that?

Well, the Framers acted against a background of kings and princes plunging their populations into wars of vanity and political advantage to distract their people at home from the political problems of the kingdom, of the monarchy. And our Framers were emphatic that the awesome power of war, the power over life and death of our sons and daughters, the power over our national treasure not be vested in one man alone but, rather, in American democracy itself.

The representatives of the people, the people of Maryland and Virginia and Florida and California and Idaho and Pennsylvania and Michigan and Alaska and Hawaii, that is who the Framers vested the power of war in: the Congress of the United States.

Now, the structural problem is that, if the Nation is actually attacked or there is an imminent attack coming, the President may need to respond in self-defense. Madison anticipated that, and Madison said that might happen.

The Supreme Court, in 1863, in the middle of the Civil War, in the Prize Cases, said that the President can act in those situations. Lincoln embargoed and blockaded the Southern States, and that was attacked as unconstitutional. They said, well, he was acting against a real, imminent threat to the land and the people of the country.

Now, after the Vietnam war, Congress passed the War Powers Resolution in 1973, providing the President may engage our forces in hostilities only with a declaration of war, a statutory authorization, or a national emergency created by an attack upon our people or our Armed Forces.

Now, under the War Powers Act, the President must consult Congress if he thinks that he is acting in imminent self-defense of the country. The President didn't do that. He talked to some other people at Mar-a-Lago. He never talked to the Congress of the United States officially, neither the Republicans nor the Democrats. He didn't contact the so-called Gang of Eight of our top leadership in the intelligence and security field.

He did notify us, in fairness to the President, within 48 hours of his targeted killing, which many see, under international law, as an act of war.

At this point, though, whether you think there was truly an imminent crisis and this was something like Pearl Harbor or you think that the President still has not given us a single compelling justification for why he did it in

acting under imminent self-defense, you think it is more like Gulf of Tonkin, it doesn't make any difference.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McGOVERN. Madam Speaker, I yield the gentleman from Maryland an additional 30 seconds.

Mr. RASKIN. All of us, everybody in this Chamber at this point should say that whatever imminent threat existed, whatever emergency there was is gone, and now this country should not go to war without a declaration of war by this Congress or statutory authorization, unless we are attacked in the meantime.

That is the whole point of the War Powers Resolution, to enforce the powers of Congress. We represent the people. We should not be going to war in the name of the United States based on the word of one man. That is not the constitutional design. It must be the Congress itself.

Mr. BURGESS. Madam Speaker, I reserve the balance of my time.

Mr. McGOVERN. Madam Speaker, I include in the RECORD a January 3 CNN article, entitled, "Trump's Huge Iran Gamble Will Have Lasting Impact."

[From CNN, Jan. 3, 2020]

TRUMP'S HUGE IRAN GAMBLE WILL HAVE
LASTING IMPACT

(By Stephen Collinson)

(CNN) President Donald Trump's targeted killing of Iran's ruthless military and intelligence chief adds up to his most dangerous gamble yet with other peoples' lives and his own political fate.

By killing Qasem Soleimani in Iraq, Trump committed the United States to a risky open conflict that at best could stop short of all-out war with Iran that could cause national security and economic shocks in the United States and across the globe.

The administration argues that it has taken one of the world's worst mass murderers and terrorists off the battlefield. But given Iran's easy access to soft targets, the Middle East and even Europe suddenly look a lot less safe for Americans, including US troops Trump may be even more tempted to haul home.

Two days into his re-election year, Trump—who rails against Middle Eastern entanglements—has plunged the United States into another one, with vast and unknown consequences. It challenges a presidency that is already alienating half of his country, following his impeachment and unrestrained behavior in office. Trump may find it impossible to rally the nation behind him to weather the crisis. He has also scrambled strategic and moral expectations of the United States—ordering the killing of a senior foreign leader of a nation with whom the US is not formally at war—albeit an official regarded by Washington as a terrorist.

Reflecting the strike's potential for escalation, a US defense official said the administration would deploy a further 3,000 troops to the Middle East, including 750 who have already deployed to protect the US embassy in Baghdad.

The reverberations of his act on Thursday will last for years.

"Iran never won a war, but never lost a negotiation!" Trump wrote on Friday morning in a tweet that will do nothing to calm critics who worry about the depth of his strategic thinking.

It is too early to know whether Soleimani's death will significantly weaken

Iran and improve the US strategic position, whether it will ignite a regional conflagration and how it will eventually affect Trump's political prospects and legacy. It is also unclear how it will change the political position inside Iran where the regime is besieged by an economic crisis and recently crushed mass protests.

But Iran will surely regard the killing of one of its most significant political leaders as an act of war, so its revenge is likely to be serious and long lasting.

"There are definitely going to be unintended consequences, and for starters I think we better have our embassies pretty well buttoned down," former US Ambassador to Iraq Christopher Hill told CNN.

"Iran simply cannot sit on its hands on this one. I think there will be a reaction and I'm afraid it could get bloody in places."

Trump supporters are celebrating their hard man commander-in-chief. They note that Soleimani orchestrated the deaths of hundreds of US soldiers in militia attacks during the Iraq War. But recent history is marked by spectacular US shock-and-awe opening acts of conflicts in Iraq and Afghanistan that cause short-term gloating and long term military and political disasters. A full-on conflict with Iran would be far more complicated than those two wars.

Trump's strike may be the most significant calculated US act in a 40-year Cold War with revolutionary Iran. It's the biggest US foreign policy bet since the invasion of Iraq.

Secretary of State Mike Pompeo told CNN's "New Day" that killing Soleimani "saved American lives" and was based on "imminent" threat intelligence about an attack in the region. Trump echoed his secretary of state later Friday morning, tweeting that Soleimani "was plotting to kill many more" Americans.

But Pompeo refused to give further details. The political bar for an administration that has made a habit of disinformation and lying is going to be far higher than that in such a grave crisis. Eliminating the most powerful political force in Iran short of Supreme Leader Ayatollah Ali Khamenei also destroys the chimera that this White House is not committed to a regime change strategy.

Given Soleimani's frequent travels to Iraq, Syria and other areas in the Middle East this is not the first time that he will have been in US crosshairs. But previous presidents, perhaps cognizant of the inflammatory consequences, chose not to take the shot. In the coming days, the administration will have to explain why it acted now.

The act also likely eliminates possibly for a generation, any hope that the United States and Iran can settle their differences by talking. There will be no desire nor political capital for even Iranian officials often misleadingly described as moderates to sit down with US counterparts.

When Trump took office, there was no immediate crisis with Iran. The Islamic Republic was honoring the Obama administration's nuclear deal though it had not stepped back from its missile development and what the US says is malignant activity in its own neighborhood.

But by ripping up the deal, strangling the Iranian economy and now killing Soleimani, Trump now owns however the confrontation turns out. It's a huge gamble because history suggests that Presidents who bet their careers on the jungle of Middle East politics always lose.

The strike displays Trump's growing infatuation with wielding military power, exacerbates a trend of unchecked presidential authority and forges the kind of ruthless vigilante image he adores.

The question is now whether Trump—an erratic, inexperienced leader who abhors ad-

vice and rarely thinks more than one step ahead—is equipped to handle such a perilous, enduring crisis.

And is his administration, which seems bent on toppling Iran's regime but cannot publicly come up with a plan for the aftermath, ready to handle an Iranian backlash in the region and beyond?

Trump's hubristic tweeting of a US flag following Soleimani's death in a drone strike in Iraq but failure to explain to Americans what is going on may be a bad sign in this regard.

But despite a stream of instant Twitter analysis from pundits suddenly expert in Iranian affairs, no one can be sure what will happen next. That's what makes Trump's strike so unpredictable and potentially dicey.

With the vast network of proxies from Hezbollah to Hamas, Iran has the capacity to strike fast and hard against US allies like Israel and Saudi Arabia and US assets and personnel in its region. It could hammer the global economy by attacking oil tankers in the Strait of Hormuz. US officials and top military officers may be more exposed when they travel abroad. Iran could explode Lebanon's fragile political compact and causes region-wide shocks.

US troops in Iraq, Syria and Afghanistan look especially vulnerable to action by Iranian-allied forces. Politically, the Baghdad government may have no choice but to ask American forces to leave after the attack in a scenario that could effectively deliver the country to Iran's influence or retrigger its terrible civil war.

The killing of Soleimani is a massive symbolic blow to Iran. He was the Godfather of the Middle East who masterminded the country's huge regional influence.

Pompeo claimed that his demise will be greeted by Iraqis and Iranians as a blow for freedom and a sign the United States is on their side. But developments in Middle Eastern politics rarely mirror the optimistic pronouncements of US officials.

DID THE US INFLICT A SERIOUS STRATEGIC BLOW
ON IRAN?

Analysts will be looking to see whether the death of Soleimani robs the Quds force of the Iranian Revolutionary Guards Corps of its coherence and dims its regional power at least at first.

Tehran's strategic response is unclear. While it could lash out, a wave of attacks against US soldiers or terrorist strikes elsewhere may draw it into a direct conflict with a more powerful rival, the United States that it does not seek.

It is not certain that it will strike back quickly. It may have more to gain from making life intolerable for the United States and its citizens in the region in a slow burn approach.

Trump could be especially exposed to a such a military or economic backlash by Iran that casts doubt on his judgment given his quickening reelection race.

His move against Iran could also reshape the dynamics of the presidential election race at home, by opening a lane for Democrats to run as anti-war candidates against him—a position that helped the last two presidents—Trump and Barack Obama—get elected.

Democratic candidate Bernie Sanders on Friday released a video vowing to do everything he can "to prevent a war with Iran."

"Because if you think the war in Iraq was a disaster, my guess is that the war in Iran would be even worse," the Vermont senator said.

And Democratic front-runner Joe Biden immediately swung into sober commander-in-chief mode, positioning himself to profit politically if Trump's Iran venture backfires.

The former vice president offered testimony to Soleimani's record of fomenting bloodshed and instability but added: "President Trump just tossed a stick of dynamite into a tinderbox."

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Madam Speaker, I rise in support of H. Con. Res. 83.

Our single greatest responsibility is the safety and security of the American people; and as the elected representatives of the American people, it is our solemn duty to ensure that our country only engages in armed conflict that is necessary and that, when we do, there are clear objectives and a strategy for achieving those objectives.

The Trump administration has presented neither evidence that military action is necessary nor a clear outline of their goals and a strategy with respect to Iran.

Any decision to put American troops in harm's way should be debated openly and honestly so that the American people have a say in their future. Nothing in this resolution prevents the administration from seeking authorization for future actions, but it does guarantee, as the Constitution requires, that the American people, through their elected representatives, have a voice in that decision.

I urge my colleagues to support this resolution.

Mr. BURGESS. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I was in the class of Congress that was elected right after September 11, 2001, that came into office in 2003.

After coming to office, through press reports and information in various congressional hearings, we got information that Osama bin Laden had declared war on the United States in 1997—I did not know that—and that there had been actionable intelligence and Osama bin Laden could have been taken out prior to the attack of September 11, 2001, but the administration in the 1990s decided not to do so.

Now, yesterday, fast-forwarding to present time, we heard from General Mark Milley clear, unambiguous intelligence indicating a significant campaign of violence against the United States in the days, weeks, and months that the administration would have been culpably negligent if it did not act, all in regards to the killing of General Soleimani.

□ 1345

The President wants to keep the country safe. The President showed remarkable restraint, I thought, yesterday, and I thought the tone in his address to the Nation yesterday was precisely the right tone.

Madam Speaker, I include in the RECORD a Statement of Administration Policy.

STATEMENT OF ADMINISTRATION POLICY

H. CON. RES. 83—DIRECTING THE PRESIDENT PURSUANT TO SECTION 5(C) OF THE WAR POWERS RESOLUTION TO TERMINATE THE USE OF UNITED STATES ARMED FORCES TO ENGAGE IN HOSTILITIES IN OR AGAINST IRAN—REP. SLOTKIN, D-MI, AND 134 COSPONSORS

The Administration strongly opposes passage of H. Con. Res. 83, which purports to direct the President to terminate the use of United States Armed Forces engaged in hostilities in or against Iran or any part of its government or military unless authorized by Congress.

At the President's direction, on January 2, the United States military successfully executed a strike in Iraq that killed Qassem Soleimani, the Commander of the Islamic Revolutionary Guard Corps-Qods Force, a designated foreign terrorist organization. Soleimani was personally responsible for terrible atrocities. He trained terrorist armies, including Hezbollah, launching terror strikes against civilian targets. He fueled bloody civil wars all across the region. He directed and facilitated actions that viciously wounded and murdered thousands of United States troops, including by planting bombs that maim and dismember their victims. In eliminating Soleimani from the battlefield, the President took action to stop a war, not to start a war. He took action to protect our diplomats, our service members, our allies, and all Americans.

Although concurrent resolutions like H. Con. Res. 83 lack the force of law under controlling Supreme Court precedent, *I.N.S. v. Chadha*, 462 U.S. 919 (1983), it is nevertheless important to highlight some of its deficiencies.

First, H. Con. Res. 83 is unnecessary because the military actions to which it applies are already authorized by law, including the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243) ("2002 AUMF"). The 2002 AUMF provides specific statutory authorization to engage in military action to "defend the national security of the United States against the continuing threat posed by Iraq." Public Law 107-243, §3(a)(1). The United States forces that have been threatened by Iranian and Iran-backed attacks in Iraq are there to combat terrorist groups—such as ISIS. Thus, in addition to acting in accordance with his Constitutional authorities as Commander in Chief and Chief Executive, the President also acted against Soleimani pursuant to existing statutory authorization. The 2002 AUMF has always been understood to authorize the use of force for, among other purposes, addressing terrorist threats—like Soleimani and the attacks he was planning and facilitating—emanating from Iraq. This is consistent with actions taken by previous Presidents pursuant to the 2002 AUMF. For example, during the last administration, United States forces frequently conducted operations in response to attacks and threats by Iran-backed militias in Iraq under the authority conferred by the 2002 AUMF. Moreover, the Administration's engagement with Congress on this strike has been fully in accordance with past precedent, including by providing notification consistent with the War Powers Resolution and by briefing Congressional leadership, the full membership of the House and Senate, and appropriate staff.

Second, were provisions like those included in H. Con. Res. 83 to become law, they could undermine the President's ability to defend United States forces and interests in the region against ongoing threats from Iran and its proxies. Iran has a long history of attacking United States and coalition forces both directly and through its proxies, including, most recently, by means of a January 7

missile attack from Iran against United States forces stationed at two bases in Iraq. Over the last several months, Soleimani planned and supported these escalating attacks by Iranian-directed Shia militia groups on coalition bases throughout Iraq. He orchestrated the December 27, 2019 attack on an Iraqi military base, which resulted in the death of a United States citizen and badly wounded four United States service members. Soleimani also approved the subsequent attack later that month on the United States Embassy in Baghdad, which turned violent and damaged the Embassy facility. At the time of the January 2 strike, Soleimani was in Iraq in violation of a United Nations Security Council travel ban and was actively developing plans to imminently attack United States diplomats and service members in Iraq and throughout the region. Subsequently, Iran launched an attack against the United States. Were Congress to attempt to compel the President to adhere to a resolution like H. Con. Res. 83, it could hinder the President's ability to protect United States forces and interests in the region from the continued threat posed by Iran and its proxies.

This concurrent resolution is misguided, and its adoption by Congress could undermine the ability of the United States to protect American citizens whom Iran continues to seek to harm.

Mr. BURGESS. Madam Speaker, I urge a "no" vote on the previous question, "no" vote on the rule, the underlying measure, and I yield back the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I think what the President did was a grave miscalculation, but we can't change the past. We can only shape the future.

I have raised concerns about executive overreach during the Bush administration; I raised them during the Obama administration; and today, I am here to raise those concerns about the Trump administration.

I hope there is no war with Iran, but we have seen that developments can change day by day, hour by hour. Should tensions escalate again, Congress should have a say before hostilities are launched. It is really that simple.

This should be the easiest vote in the world for Members of Congress. Regardless of what you think about what the President has done, regardless whether you agree with his policies or not, and regardless of your political affiliation, this is about ensuring that we have a say about what may come next.

There is nothing radical about this. The Constitution gives only Congress the ability to declare war. Let's reclaim our power and let's do our jobs.

My friends say they want to honor our troops. Well, talk is cheap. How about honoring our troops by doing our job, by living up to our constitutional responsibilities. War is a big deal. We ought to take it seriously here. I and some of my Republican friends over the years have raised issues with Democratic and Republican administrations about the ease in which they commit our troops to hostilities. Enough is enough.

No more endless wars. Congress has to live up to its constitutional responsibility. Let's reclaim our power. Let's do our job.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the House Committees on the Judiciary and on Homeland Security, as a member serving in this body on September 11, 2001 and throughout the fateful and tragic war in Iraq, and as an original cosponsor, I rise in strong support of the rule governing debate of H. Con. Res. 83, a concurrent resolution directing the President to terminate the engagement of United States Armed Forces in hostilities in or against Iran, as well as the underlying legislation.

I thank the gentlelady from Michigan, Congresswoman ELISSA SLOTKIN, for introducing this resolution and Foreign Affairs Committee Chair ELIOT ENGEL for his work on this important resolution.

I also thank Speaker PELOSI for taking swift action to afford the House the opportunity to honor its constitutional duty to keep the American people safe by limiting the President from taking further precipitous military actions regarding Iran.

We know from bitter and heart-breaking experience the truth that while dangerous and bloody battles are fought by the military, it is the nation that goes to war.

And that is why the Framers lodged the awesome power to declare and take the nation to war not in the hands of a single individual, but through Article I, Section, clause 11 in the collective judgment of Congress, the representatives of the American people.

It is true of course that the United States has an inherent right to self-defense against imminent armed attacks and that it maintains the right to ensure the safety of diplomatic personnel serving abroad.

But in matters of imminent armed attacks, the executive branch must inform Congress as to why military action was necessary within a certain window of opportunity, the possible harm that missing the window would cause, and why the action was likely to prevent future disastrous attacks against the United States.

Only after being fully briefed and informed is the Congress in a position to validate and ratify or disapprove and terminate the action.

Madam Speaker, Section 5(c) of the 1973 War Power Resolution, Pub. L. 93-148, provides that whenever "United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution."

The military action ordered on Friday, January 3, 2020 by the President to kill Major General Qasem Soleimani, the head of Iran's Islamic Revolutionary Guard Corps, may have rid the world of a major architect of terror but leaves unanswered the critically important question of why the action was taken at that time.

Even at this late hour, members of Congress have not been briefed or been shown compelling evidence by the Administration that the action was necessary to repel a credible, certain, and imminent attack on the United States, its allies, or American civilians or military personnel.

The Administration has yet to provide proof or assuage the concerns of most member of

Congress, and of the American people, that the killing of Major General Soleimani was a necessary action that was the product of a carefully crafted geopolitical strategy developed after extensive discussion within the national security apparatus regarding the short and long-term consequences for the security of the region and our nation and its people.

Similarly, we do not know whether the decision to engage in the hostile action against Iran was made by the President in consultation and agreement with our regional and international allies and whether there is now in place a strategy to ensure that the action taken does not lead to a greater escalation of tensions between Iran and the United States or in the worst case, another war in the Middle East placing at risk the lives and safety of millions of persons.

Madam Speaker, Major General Soleimani was the long-time chief of the Quds Force, the elite special forces battalion of the Islamic Revolutionary Guard Corps (IRGC), assisted Syrian strongman Bashar al Assad slaughter hundreds of thousands of his own people in the Syrian civil war, helped incite the Houthis in Yemen's civil war, and oversaw the brutal killing of hundreds of Iraqi protesters recently demonstrating against Iranian influence in their country.

Iran's Quds Force, under Soleimani's leadership, has long been suspected by the U.S. Government of involvement in a 2011 plot to assassinate the Saudi ambassador to the United States and bore responsibility for the deaths of more than 600 Americans killed by Iranian proxies since the 2003 inception of the war in Iraq.

Over the past eight months, in response to rising tensions with Iran, the United States has introduced over 15,000 additional forces into the Middle East.

But Major General Soleimani was more than a military leader, he was a high-ranking political leader, second only in power and influence to the Supreme Leader, Ayatollah Ali Khamenei.

In fact, Soleimani was regarded by many as a future president of Iran.

It was foreseeable therefore that the killing of Soleimani by American forces was likely to invite retaliation by Iran putting at risk American military and civilian personnel, as well as its allies in the region and across the globe.

It must be remembered, Madam Speaker, the United States has national interests in preserving its partnership with Iraq and other countries in the region, including by combating terrorists, including the Islamic State of Iraq and Syria (ISIS); preventing Iran from achieving a nuclear weapons capability; and supporting the people of Iraq, Iran, and other countries throughout the Middle East who demand an end to government corruption and violations of basic human rights.

For these reasons it is essential that the Administration have in place a sound, well-considered, and meticulously developed strategy for managing disputes with Iran.

That does not appear to be the case.

There is no evidence that the Administration consulted with Congress or the Gang of 8, no evidence that it enlisted or even consulted our allies in NATO or the region, no evidence that the Administration has a working and well-functioning national security council apparatus.

This is a critical Pottery Barn failure in dealing with the Middle East for as former Sec-

retary of State Colin Powell stated before the Iraq War, "If you break it, you bought it."

Iran Supreme Leader Ayatollah Khamenei has vowed that a "harsh retaliation is waiting" for the United States as a consequence of the action taken by the Administration.

It is imperative that the Administration have in place a strategy to counter and deescalate any Iranian response and have in place measure to protect the safety of Americans residing or travelling abroad and to protect the security of the homeland.

The deliberate and targeted killing of Major General Soleimani has the potential to be the most consequential assassination of a political leader since World War I was started by the assassination of Archduke Franz Ferdinand Carl Ludwig Joseph Maria of Austria, the heir presumptive of the throne of Austria-Hungary in 1914.

One of the enduring lessons of the Great War too often forgotten but so well documented in Barbara Tuchman's prize-winning history, "The Guns of August," is that misconceptions, miscalculations, and mistakes result in the tragedy of horrific warfare; among them are overestimating the value of one's economic power, harboring an ill-founded belief in quick victory, and a failure to consider political backlash warfare.

Madam Speaker, the decision to send American men and women into harm's way is the most consequential decision the Constitution vests in the Congress and the President.

Members of Congress must be apprised of all facts material to the decision and have access to relevant documentation, classified and otherwise, and afforded the opportunity to meet in small groups and in secure locations with senior members of the Administration's national security team who can answer detailed and pointed questions and provide requested information.

The Constitution wisely divides the responsibility of deciding when to use military force to protect the nation and its interests between the President and the Congress, the representatives of the American people.

The United States' military involvement in Iraq begun in March 2003 and continuing to this day has taught this nation the importance of having accurate and reliable information when deciding whether to use military force and the painful costs in lives and treasure of acting precipitously or unwisely.

We cannot and dare not repeat that mistake.

That is why I am proud to support and cosponsor H. Con. Res. 83, the concurrent resolution before us, which directs the President to terminate immediately the use of United States Armed Forces to engage in hostilities in or against Iran or any part of its government or military, unless Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces; or the use of the Armed Forces is necessary and appropriate to defend against an imminent armed attack upon the United States, its territories or possessions, or its Armed Forces, consistent with the requirements of the War Powers Resolution.

Our constituents, all Americans across the country, and the people of the globe are looking to us to ensure that tensions between the United States and Iran are deescalated, that smart power and diplomacy be employed, and every effort be made to ensure the peace and

safety in America and the region, and the lives of the innocent not be placed at risk.

The material previously referred to by Mr. BURGESS is as follows:

AMENDMENT TO HOUSE RESOLUTION 781

At the end of the resolution, add the following:

SEC. 3. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 783) honoring the members of the military and intelligence community who carried out the mission that killed Qasem Soleimani, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 783.

Mr. MCGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute votes on:

Adoption of the resolution, if ordered; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 191, not voting 12, as follows:

[Roll No. 5]

YEAS—227

Adams	Clyburn	Fletcher
Aguilar	Cohen	Foster
Allred	Connolly	Frankel
Axne	Cooper	Fudge
Barragán	Correa	Gabbard
Bass	Costa	Gaetz
Beatty	Courtney	Gallego
Bera	Cox (CA)	Garamendi
Beyer	Craig	Garcia (IL)
Bishop (GA)	Crist	Garcia (TX)
Blumenauer	Crow	Golden
Blunt Rochester	Cuellar	Gomez
Bonamici	Cunningham	Gonzalez (TX)
Boyle, Brendan	Davids (KS)	Gottheimer
F.	Davis (CA)	Green, Al (TX)
Brindisi	Davis, Danny K.	Grijalva
Brown (MD)	Dean	Haaland
Brownley (CA)	DeFazio	Harder (CA)
Bustos	DeGette	Hastings
Butterfield	DeLauro	Hayes
Carbajal	DelBene	Heck
Cárdenas	Delgado	Higgins (NY)
Carson (IN)	Demings	Himes
Cartwright	DeSaulnier	Horn, Kendra S.
Case	Deutch	Horsford
Casten (IL)	Dingell	Houlihan
Castor (FL)	Doggett	Hoyer
Castro (TX)	Doyle, Michael	Huffman
Chu, Judy	F.	Jackson Lee
Cicilline	Engel	Jayapal
Cisneros	Escobar	Jeffries
Clark (MA)	Eshoo	Johnson (GA)
Clarke (NY)	Españillat	Johnson (TX)
Clay	Evans	Kaptur
Cleaver	Finkenauer	Keating

Kelly (IL)	Murphy (FL)	Scott, David
Kennedy	Nadler	Sewell (AL)
Khanna	Napolitano	Shalala
Kildee	Neal	Sherman
Kilmer	Neguse	Sherrill
Kim	Norcross	Sires
Krishnamoorthi	O'Halleran	Slotkin
Kuster (NH)	Ocasio-Cortez	Smith (WA)
Lamb	Omar	Soto
Langevin	Pallone	Spanberger
Larsen (WA)	Panetta	Speier
Larson (CT)	Pappas	Stanton
Lawrence	Pascrell	Stevens
Lawson (FL)	Payne	Suozi
Lee (CA)	Perlmutter	Swalwell (CA)
Lee (NV)	Peters	Takano
Levin (CA)	Peterson	Thompson (CA)
Levin (MI)	Phillips	Thompson (MS)
Lieu, Ted	Pingree	Titus
Lipinski	Pocan	Tlaib
Loeb sack	Porter	Tonko
Lofgren	Pressley	Torres (CA)
Lowenthal	Price (NC)	Torres Small
Lowe y	Quigley	(NM)
Luján	Raskin	Trahan
Luria	Rice (NY)	Trone
Lynch	Richmond	Underwood
Malinowski	Rose (NY)	Vargas
Maloney,	Rouda	Veasey
Carolyn B.	Roybal-Allard	Vela
Maloney, Sean	Ruiz	Velázquez
Matsui	Ruppersberger	Visclosky
McAdams	Rush	Wasserman
McBath	Ryan	Schultz
McCollum	Sánchez	Waters
McGovern	Sarbanes	Watson Coleman
McNerney	Scanlon	Welch
Meeks	Schakowsky	Wexton
Meng	Schiff	Wild
Moore	Schneider	Wilson (FL)
Morelle	Schrader	Yarmuth
Moulton	Schrier	
Mucarsel-Powell	Scott (VA)	

NAYS—191

Abraham	Fulcher	Massie
Aderholt	Gallagher	Mast
Allen	Gianforte	McCarthy
Amash	Gibbs	McCaul
Amodei	Gohmert	McClintock
Armstrong	Gonzalez (OH)	McHenry
Arrington	Gooden	McKinley
Babin	Gosar	Meadows
Bacon	Granger	Meuser
Baird	Graves (GA)	Miller
Balderson	Graves (LA)	Mitchell
Banks	Graves (MO)	Moolenaar
Barr	Green (TN)	Mooney (WV)
Bergman	Griffith	Mullin
Biggs	Grothman	Murphy (NC)
Bilirakis	Guest	Newhouse
Bishop (NC)	Guthrie	Norman
Bishop (UT)	Hagedorn	Nunes
Bost	Harris	Olson
Brady	Hartzer	Palazzo
Brooks (AL)	Hern, Kevin	Palmer
Brooks (IN)	Herrera Beutler	Pence
Buck	Hice (GA)	Perry
Bucshon	Higgins (LA)	Posey
Budd	Hill (AR)	Ratcliffe
Burchett	Holding	Reed
Burgess	Hollingsworth	Reschenthaler
Byrne	Hudson	Rice (SC)
Calvert	Huizenga	Riggleman
Carter (GA)	Hurd (TX)	Roby
Carter (TX)	Johnson (LA)	Rodgers (WA)
Chabot	Johnson (OH)	Roe, David P.
Cheney	Johnson (SD)	Rogers (AL)
Cline	Jordan	Rogers (KY)
Cloud	Joyce (OH)	Rooney (FL)
Cole	Joyce (PA)	Rose, John W.
Collins (GA)	Katko	Rouzer
Comer	Keller	Roy
Conaway	Kelly (MS)	Rutherford
Cook	Kelly (PA)	Scalise
Crenshaw	King (IA)	Schweikert
Curtis	King (NY)	Scott, Austin
Davidson (OH)	Kinzinger	Sensenbrenner
Davis, Rodney	Kustoff (TN)	Shimkus
DesJarlais	LaHood	Smith (MO)
Duncan	LaMalfa	Smith (NE)
Dunn	Lamborn	Smith (NJ)
Emmer	Latta	Smucker
Estes	Lesko	Spano
Ferguson	Long	Staubert
Fleischmann	Lucas	Stefanik
Flores	Luetkemeyer	Steil
Fortenberry	Marchant	Steube
Foxx (NC)	Marshall	Stewart

Stivers	Walberg	Williams
Taylor	Walden	Wilson (SC)
Thompson (PA)	Walker	Wittman
Thornberry	Walorski	Womack
Timmons	Waltz	Woodall
Tipton	Watkins	Wright
Turner	Weber (TX)	Yoho
Upton	Webster (FL)	Young
Van Drew	Wenstrup	Zeldin
Wagner	Westerman	

NOT VOTING—12

Buchanan	Hunter	Loudermilk
Crawford	Kind	McEachin
Diaz-Balart	Kirkpatrick	Serrano
Fitzpatrick	Lewis	Simpson

□ 1413

Mrs. HARTZLER changed her vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. DIAZ-BALART. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 5.

The SPEAKER pro tempore (Ms. DELBENE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 193, not voting 11, as follows:

[Roll No. 6]

YEAS—226

Adams	Davis (CA)	Huffman
Aguilar	Davis, Danny K.	Jackson Lee
Allred	Dean	Jayapal
Axne	DeFazio	Jeffries
Barragán	DeGette	Johnson (GA)
Bass	DeLauro	Johnson (TX)
Beatty	DelBene	Kaptur
Bera	Delgado	Keating
Beyer	Demings	Kelly (IL)
Bishop (GA)	DeSaulnier	Kennedy
Blumenauer	Deutch	Khanna
Blunt Rochester	Dingell	Kildee
Bonamici	Doggett	Kilmer
Boyle, Brendan	Doyle, Michael	Kim
F.	F.	Krishnamoorthi
Brindisi	Engel	Kuster (NH)
Brown (MD)	Escobar	Lamb
Brownley (CA)	Eshoo	Langevin
Bustos	Españillat	Larsen (WA)
Butterfield	Evans	Larson (CT)
Carbajal	Finkenauer	Lawrence
Cárdenas	Fletcher	Lawson (FL)
Carson (IN)	Foster	Lee (CA)
Cartwright	Frankel	Lee (NV)
Case	Fudge	Levin (CA)
Casten (IL)	Gabbard	Levin (MI)
Castor (FL)	Gaetz	Lieu, Ted
Castro (TX)	Gallego	Lipinski
Chu, Judy	Garamendi	Loeb sack
Cicilline	Garcia (IL)	Lofgren
Cisneros	Garcia (TX)	Lowenthal
Clark (MA)	Golden	Lowe y
Clarke (NY)	Gomez	Luján
Clay	Gonzalez (TX)	Luria
Cleaver	Gottheimer	Lynch
	Green, Al (TX)	Malinowski
	Grijalva	Maloney,
	Haaland	Carolyn B.
	Harder (CA)	Maloney, Sean
	Hastings	Matsui
	Hayes	McAdams
	Heck	McBath
	Higgins (NY)	McCollum
	Himes	McGovern
	Horn, Kendra S.	McNerney
	Horsford	Meeks
	Houlihan	Meng
	Hoyer	Moore

Morelle	Richmond	Stevens
Moulton	Rose (NY)	Suozzi
Mucarsel-Powell	Rouda	Swalwell (CA)
Murphy (FL)	Roybal-Allard	Takano
Nadler	Ruiz	Thompson (CA)
Napolitano	Ruppersberger	Thompson (MS)
Neal	Rush	Titus
Neguse	Ryan	Tlaib
Norcross	Sánchez	Tonko
O'Halleran	Sarbanes	Torres (CA)
Ocasio-Cortez	Scanlon	Torres Small
Omar	Schakowsky	(NM)
Pallone	Schiff	Trahan
Panetta	Schneider	Trone
Pappas	Schrader	Underwood
Pascarell	Schrier	Vargas
Payne	Scott (VA)	Veasey
Perlmutter	Scott, David	Vela
Peters	Sewell (AL)	Velázquez
Peterson	Shalala	Visclosky
Phillips	Sherman	Wasserman
Pingree	Sherrill	Schultz
Pocan	Sires	Waters
Porter	Slotkin	Watson Coleman
Pressley	Smith (WA)	Welch
Price (NC)	Soto	Wexton
Quigley	Spanberger	Wild
Raskin	Speier	Wilson (FL)
Rice (NY)	Stanton	Yarmuth

NAYS—193

Abraham	Graves (GA)	Palmer
Aderholt	Graves (LA)	Pence
Allen	Graves (MO)	Perry
Amash	Green (TN)	Posey
Amodei	Griffith	Ratcliffe
Armstrong	Grothman	Reed
Arrington	Guest	Reschenthaler
Babin	Guthrie	Rice (SC)
Bacon	Hagedorn	Riggleman
Baird	Harris	Roby
Balderson	Hartzler	Rodgers (WA)
Banks	Hern, Kevin	Roe, David P.
Barr	Herrera Beutler	Rogers (AL)
Bergman	Hice (GA)	Rogers (KY)
Biggs	Higgins (LA)	Rooney (FL)
Billirakis	Hill (AR)	Rose, John W.
Bishop (NC)	Holding	Rouzer
Bishop (UT)	Hollingsworth	Roy
Bost	Hudson	Rutherford
Brady	Huizenga	Scalise
Brooks (AL)	Hurd (TX)	Schweikert
Brooks (IN)	Johnson (LA)	Scott, Austin
Buck	Johnson (OH)	Sensenbrenner
Bucshon	Johnson (SD)	Shimkus
Budd	Jordan	Smith (MO)
Burchett	Joyce (OH)	Smith (NE)
Burgess	Joyce (PA)	Smith (NJ)
Byrne	Katko	Smucker
Calvert	Keller	Spano
Carter (GA)	Kelly (MS)	Stauber
Carter (TX)	Kelly (PA)	Stefanik
Chabot	King (IA)	Steil
Cheney	King (NY)	Steube
Cline	Kinzinger	Stewart
Cloud	Kustoff (TN)	Stivers
Cole	LaHood	Taylor
Collins (GA)	LaMalfa	Thompson (PA)
Comer	Lamborn	Thornberry
Conaway	Latta	Timmons
Cook	Lesko	Tipton
Crenshaw	Long	Turner
Cunningham	Lucas	Upton
Curtis	Luetkemeyer	Van Drew
Davidson (OH)	Marchant	Wagner
Davis, Rodney	Marshall	Walberg
DesJarlais	Massie	Walden
Diaz-Balart	Mast	Walker
Duncan	McCarthy	Walorski
Dunn	McCaul	Waltz
Emmer	McClintock	Watkins
Estes	McHenry	Weber (TX)
Ferguson	McKinley	Webster (FL)
Fleischmann	Meadows	Wenstrup
Flores	Meuser	Westerman
Fortenberry	Miller	Williams
Fox (NC)	Mitchell	Wilson (SC)
Fulcher	Moolenaar	Wittman
Gallagher	Mooney (WV)	Womack
Gianforte	Mullin	Woodall
Gibbs	Murphy (NC)	Wright
Gohmert	Newhouse	Yoho
Gonzalez (OH)	Norman	Young
Gooden	Nunes	Zeldin
Gosar	Olson	
Granger	Palazzo	

NOT VOTING—11

Buchanan	Kind	McEachin
Crawford	Kirkpatrick	Serrano
Fitzpatrick	Lewis	Simpson
Hunter	Loudermilk	

□ 1422

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

IRAN WAR POWERS RESOLUTION

Mr. ENGEL. Madam Speaker, pursuant to House Resolution 781, I call up the concurrent resolution (H. Con. Res. 83) directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 781, the amendment printed in House Report 116-371 is adopted, and the concurrent resolution, as amended, is considered read.

The text of the concurrent resolution, as amended, is as follows:

H. CON. RES. 83

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. TERMINATION OF USE OF UNITED STATES ARMED FORCES TO ENGAGE IN HOSTILITIES IN OR AGAINST IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Government of Iran is a leading state sponsor of terrorism and engages in a range of destabilizing activities across the Middle East. Iranian General Qassem Soleimani was the lead architect of much of Iran's destabilizing activities throughout the world.

(2) The United States has an inherent right to self-defense against imminent armed attacks. The United States maintains the right to ensure the safety of diplomatic personnel serving abroad.

(3) In matters of imminent armed attacks, the executive branch should indicate to Congress why military action was necessary within a certain window of opportunity, the possible harm that missing the window would cause, and why the action was likely to prevent future disastrous attacks against the United States.

(4) The United States has national interests in preserving its partnership with Iraq and other countries in the region, including by—

(A) combating terrorists, including the Islamic State of Iraq and Syria (ISIS);

(B) preventing Iran from achieving a nuclear weapons capability; and

(C) supporting the people of Iraq, Iran, and other countries throughout the Middle East who demand an end to government corruption and violations of basic human rights.

(5) Over the past eight months, in response to rising tensions with Iran, the United States has introduced over 15,000 additional forces into the Middle East.

(6) When the United States uses military force, the American people and members of the United States Armed Forces deserve a credible explanation regarding such use of military force.

(7) The War Powers Resolution (50 U.S.C. 1541 et seq.) requires the President to consult with Congress "in every possible instance" before introducing United States Armed Forces into hostilities.

(8) Congress has not authorized the President to use military force against Iran.

(b) TERMINATION.—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), Congress hereby directs the President to terminate the use of United States Armed Forces to engage in hostilities in or against Iran or any part of its government or military, unless—

(1) Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces; or

(2) such use of the Armed Forces is necessary and appropriate to defend against an imminent armed attack upon the United States, its territories or possessions, or its Armed Forces, consistent with the requirements of the War Powers Resolution.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to prevent the President from using military force against al Qaeda or associated forces;

(2) to limit the obligations of the executive branch set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.);

(3) to affect the provisions of an Act or joint resolution of Congress specifically authorizing the use of United States Armed Forces to engage in hostilities against Iran or any part of its government or military that is enacted after the date of the adoption of this concurrent resolution;

(4) to prevent the use of necessary and appropriate military force to defend United States allies and partners if authorized by Congress consistent with the requirements of the War Powers Resolution; or

(5) to authorize the use of military force.

The SPEAKER pro tempore. The concurrent resolution, as amended, shall be debatable for 2 hours, equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

The gentleman from New York (Mr. ENGEL) and the gentleman from Texas (Mr. McCAUL) each will control 1 hour.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 83, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Madam Speaker, I yield myself such time as I may consume.

We are here this afternoon so that this body can exercise one of its most

important constitutional responsibilities, deciding on whether or not this country will wage war, whether or not we will check an executive that has brought our country to a dangerous brink.

In recent months, tensions between the United States and Iran have ticked up, bit by bit, until this last week, when we found ourselves in a crisis like we haven't seen in decades.

Let's be clear: The Iranians are responsible for their own harmful behavior. We know this is a regime that underwrites terrorism, that tries to strengthen its own position by fomenting instability and provocation. We know that about Iran. No one expects Iran to be the adult in the room when it comes to global affairs.

What we do expect is that American leadership and American policy will be the moderating force.

So the world was stunned last week when the Trump administration chose, instead, the path towards escalation with the killing of Qasem Soleimani.

We need to be honest about Soleimani. He was a bad guy. He had masterminded attacks and campaigns that cost thousands of innocent lives. In the places where we have seen Iran's most harmful activity, Soleimani's fingerprints were everywhere. He had American blood on his hands, and the world is better off without him.

But are we really safer today, as the administration claims, with American citizens told to get out of Iraq as fast as they can; thousands of troops deploying to the Middle East; an eviction notice from the Iraqi Government, whose partnership we depend on in the fight against ISIS; Iranian missiles endangering American personnel?

It certainly doesn't feel like we are safer, and a poll out today shows that the American people agree.

In foreign policy, you have to weigh decisions like this. As awful as Soleimani was, this action has endangered American lives and American security.

The President and his advisers say they had no choice; that there was imminent threat. Then they said, well, he had done bad things in the past and was going to do more bad things in the future. When they sent a report on the strike to Congress, the administration took the highly unusual step of classifying it.

And then yesterday, in a classified briefing, when Members demanded to see the evidence that justified the strike, the message from the administration essentially boiled down to this: Trust us. When we asked, What is the plan going forward? The administration essentially told Members: Trust us.

Trust us is not good enough, Madam Speaker, not for me, and not for the American people.

Madam Speaker, if they are going to send our men and women in uniform into harm's way, they shouldn't hide the facts.

First of all, this administration hasn't given us any reason to believe that this is a fact. The foreign policy of this administration has undermined American leadership, cut our diplomats off at the knees, alienated our allies, and walked away from our obligations. We have lurched from crisis to crisis, each time hoping that the situation won't spin out of control.

I call it fly-by-the-seat-of-your-pants foreign policy, and it is no way to advance American interests and values on the global stage.

But beyond that, beyond the way this administration has acted, it is not the job of Congress to give any administration its blind trust. It is why we have separation of powers. It is why the Constitution entrusts war powers to Congress.

Let me say that again. It is why the Constitution entrusts war powers to Congress. We haven't had a declared war in this country since World War II. It is not the way it should happen.

So it is a relief that both the administration and the Iranians have, for the moment, opted to de-escalate. But we would be foolish to think this crisis is over. It could flame up again in the blink of an eye, and I worry that another misstep on either side could be what plunges our country into another ill-advised war in the Middle East.

I will say it very plainly: The American people do not want war with Iran. With the measure before us today, we are denying the President the authority to wage such a war.

This would direct the President to terminate the use of armed force against Iran without congressional authorization unless it is necessary to respond to an imminent armed attack against the United States.

The President always has the power to defend America. No one denies that. This resolution explicitly preserves this right, but that is a limited exception. The President shouldn't abuse it.

Now, we have heard the argument that the 2002 Authorization for the Use of Military Force, the Iraq war authorization, would justify military action against Iran. That is just wrong. It is not what Congress intended when it passed that resolution. I was here. I remember it. It should be repealed, not used to launch more military action.

If the President wants to use military force against Iran, he has to come to Congress. Any President has to come to Congress. We are not making rules only for this President. We are making rules for the President, any President, vis-a-vis, Congress' constitutional powers.

The President has to make the case first, first, not after he launches an ill-advised attack, then after the fact, comes up with a reason why it was necessary and why it was legal. That is not the way our system works.

Today, I have heard the myth floating around that this resolution is non-binding; that it is just symbolic. So let me quote from the War Powers Act to prove that untrue.

The War Powers law says: "At any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution." Again, by concurrent resolution. That is what the War Powers Act states that we need do. That is what we are doing today.

This is the House of Representatives exercising its Article I authority. We don't get authority over war powers just because—if the President says so. We get authority over war powers, period. That is our authority. So let's put that fiction to rest.

And one final point, Madam Speaker, about the tone of this debate. Yesterday, a Member of this body went on television and said that Democrats "are in love with terrorists. They mourn Soleimani more than they mourn our Gold Star families."

Another Member labeled a group of colleagues "Ayatollah sympathizers."

At a time when we are talking about policy that will have direct bearing on American men and women, service-members and diplomats in harm's way, comments like that reflect very poorly on this body. And I remind the House that all Members, in both parties, regardless of party, love this country. These words have no place in this debate.

On the Foreign Affairs Committee, we take pride in debating issues, even the toughest issues, on the merits and on the facts. I salute my friend, the ranking member, Mr. MCCAUL, for working so closely with me to make sure we do so. That is one of the keys of the Foreign Affairs Committee.

I strongly encourage all Members on both sides to bear that in mind during this debate. We all take the same oath. We can argue about this resolution without questioning one another's motives or one another's patriotism.

Madam Speaker, I reserve the balance of my time.

Mr. MCCAUL. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H. Con. Res. 83.

When President Obama took down Osama Bin Laden, the Republican Members joined with Democrats, as Americans, to praise the President. Unfortunately, today, Democrats are incapable of giving this President credit where credit is due, which only emboldens Iran.

I am surprised to be faced with this partisan resolution today. We should be standing together, as the chairman mentioned, as a Nation. Instead, this resolution plays politics with national security.

Yesterday, the President laid out a measured response to Iran's ballistic missile attacks. Let me be clear. The President is not seeking war with Iran. The President has shown, if anything,

great restraint regarding Iran, including after Iran's downing of a U.S. drone, a U.S. military asset.

But in their blind contempt for the President, my colleagues are ignoring the assessments of career intelligence and military professionals.

□ 1445

Our colleagues on the other side are downplaying the murderous evil of Soleimani, the mastermind of terror in the Middle East for over two decades.

Soleimani was designated as a terrorist by the Obama administration. He was responsible for the deaths of more than 600 Americans and wounded thousands more.

Soleimani was involved in the Iranian plot to assassinate the Saudi Ambassador to the United States on American soil in Georgetown, right in this city. Soleimani oversaw Iran's support for Assad in Syria, including convincing Russia to fight for Assad, killing hundreds of thousands. This year, Soleimani played a key role in the crackdown on protestors in Iraq that killed hundreds of Iraqis.

It should be clear to any reasonable person that Soleimani posed a long-term threat to the United States and to innocent civilians in the Middle East and across the globe. We don't need to get into classified details to see Soleimani's clear threat.

According to the Department of Defense, in the last 2 months, Soleimani and his proxies launched 12 attacks against U.S. forces and facilities in Iraq. On December 27, Soleimani's Iranian proxies killed an American and injured four U.S. servicemembers near Kirkuk. On December 31, Soleimani's Iranian proxies launched an assault on the United States Embassy in Baghdad.

But Soleimani was not done. Secretary Pompeo said that Soleimani was "actively plotting" to take "big action" that would "put dozens if not hundreds of American lives at risk," which DOD said targeted American diplomats and servicemembers in Iraq and throughout the region.

The Chairman of the Joint Chiefs, General Milley, said that the administration would have been "culpably negligent," given the evidence and intelligence they had, had they not acted.

The President possessed the legal authority for this strike and complied with his obligation to report it to Congress within 48 hours under the War Powers Resolution. The President has inherent Article II authority as Commander in Chief to defend United States personnel from attacks that Soleimani was carrying out and plotting against Americans. It is an act of self-defense.

This is not just a partisan analysis. Jeh Johnson, President Obama's general counsel at the Department of Defense and former Secretary of Homeland Security, approved the airstrikes during the Obama administration. He stated that Soleimani "was a lawful military objective, and the President,

under his constitutional authority as Commander in Chief, had ample domestic legal authority to take him out without an additional congressional authorization." That was President Obama's Secretary of Homeland Security.

As a second authority, the National Security Adviser cited the 2002 AUMF that authorized the use of force "to defend the national security of the United States against the continuing threat posed by Iraq." That authorization has been used previously to address terrorist threats to U.S. personnel inside Iraq, including by President Obama to go after ISIS terrorist forces in Iraq.

The dangerously partisan reactions to last week's strike in defense of Americans are even more apparent when compared to Democratic reactions to Obama's thousands of unauthorized airstrikes in defense of Libyans inside Libya in 2011.

Back in June 2011, then-Leader PELOSI was asked about the Obama administration's months of airstrikes inside Libya, dropping hundreds of millions of dollars in U.S. munitions without congressional authorization. Leader PELOSI was asked: "Madam Leader, you are saying that the President did not need authorization initially and still does not need any authorization from Congress on Libya?" Her answer was, "Yes."

She said: "I believe the limited nature of this engagement allows the President to go forward. . . . I am satisfied that the President has the authority he needs to go ahead."

That logic should apply far more in the strike against Soleimani to protect Americans.

I am pleased the administration did not hesitate to take bold action, given the high threat level. Soleimani showed us through the embassy attack and the attacks on U.S. forces that he was serious about hurting Americans.

Our intelligence community saw his next plan coming together, and our military, under direction from our Commander in Chief, acted. They saw the storm coming, and they stopped it.

I thank the President and the men and women of our intelligence community and the military for upholding their responsibility to protect American lives. Instead of supporting the President, unfortunately, my Democratic colleagues are dividing Americans at a critical time, weakening our leverage overseas and emboldening our enemy, the largest state sponsor of terror in the world.

I ask my colleagues to oppose this resolution, which seeks to tie the President's hands as he continues to defend Americans in the Middle East.

Madam Speaker, I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield 5 minutes to the gentlewoman from Michigan (Ms. SLOTKIN), the author of this important resolution.

Ms. SLOTKIN. Madam Speaker, I rise today in support of my bill, a War Pow-

ers Resolution that states that the President of the United States must consult Congress before going to war with Iran. This is simply what our Constitution requires.

For me, this is not a theoretical exercise. My husband spent 30 years in the Army and retired as a colonel. We actually met on my third tour in Iraq, when I was a CIA officer. My stepdaughter is a brand-new Army officer. My son-in-law's unit is stationed at Al Asad Air Base, which was just targeted by ballistic missiles this week.

If our loved ones are going to be sent to fight in any protracted war, the President owes the American public a conversation. The resolution we will be voting on today allows us to start that debate, as our Founders intended.

Let me be clear: The Government of Iran is a leading state sponsor of terrorism and engages in a range of destabilizing activities across the Middle East. I have experienced these personally as a former CIA analyst. I served multiple tours in Iraq, three tours. My specialty is Iranian-backed Shia militias.

I have followed Iran's destabilizing activity in Iraq up close for my entire professional career. I have watched friends and colleagues hurt or killed by Iranian rockets, mortars, and explosive devices. Iranian General Qasem Soleimani was the lead architect of much of Iran's destabilizing activities in the Middle East and throughout the world.

To that end, with Iran or with any other adversary, the United States always has the inherent right and obligation to self-defense against imminent armed attacks—always. The United States always maintains the right and the responsibility to ensure the safety of our diplomatic personnel and our Armed Forces serving abroad.

When it comes to the matter of longer term war either as something that we choose as a Nation or as something that we find ourselves in, as Members of this body, we have a constitutional responsibility to authorize the use of military force.

The Framers of our Constitution rightly believed that the power to declare war belongs in the Congress because this would ensure that the American people, through the legislators they elected, weigh the most significant decision a government can make.

To this end, the resolution does a few simple things.

First, it states that the President does not currently have authorization for war against Iran, which his own Secretary of Defense acknowledged in a congressional hearing last month.

Second, it requires the President to get congressional authorization if he wants to conduct a protracted war with Iran.

Third, it makes clear that the President maintains the authority to use force to prevent imminent attacks against the United States or our forces. As someone who has spent her career

in national security, it is extremely important to me that this resolution in no way ties the President's hands or takes away any capabilities from our military commanders to respond in self-defense for ourselves and our allies.

We have been at war for nearly two decades, which has spanned both Republican and Democratic administrations, as my colleague pointed out. In that time, Congress has voted only twice to authorize the use of military force, in 2001 and 2002.

Congress has long abdicated its responsibility as laid out in the Constitution to make the hard decisions we owe our troops when it comes to authorizing war. We owe it to our military and to ourselves as a Nation to open this conversation on the authorization of military force, to provide our troops that clarity, and to abide by the Constitution that we have all sworn to protect.

I urge my colleagues, Republicans and Democrats, to support this resolution. I know it is a political time, but my attempt was to hew exactly to what our Founders intended.

Mr. MCCAUL. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished Republican leader.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding.

The United States and our allies are safer with Qasem Soleimani gone. President Trump's decisive leadership was justified, and it was right.

Soleimani had the blood of over 600 American servicemembers on his hands. For more than 20 years, he attacked our troops, established a brutal reign of terror across the Middle East, and was directly responsible for the death of thousands of innocent civilians, including in his own country. And he had more terror planned.

As President Trump said, this strike was done to prevent a war, not start one. In yesterday's address, he was true to his word. He was confident and restrained. Even as he underscored our strength and resolve, he extended the people of Iran our hand in peace and friendship. President Trump's decision to embrace the Reagan doctrine of peace through strength in dealing with Iran has worked.

Those who criticize President Trump for Iran's dangerous foreign policy should actually spend a few moments to review their history. It is Iran that is responsible for escalating tensions by creating chaos to spread fear and accumulate power.

In the decades since 1979's revolution, Iran has become the number one state sponsor of terrorism in the world. More recently, it shot down an American military drone and seized a British oil tanker.

On December 27, Iranian proxies crossed the line by killing an American. For the first time since 1988, we have an administration willing to strike back. From most of the media

reports, many may know him only as an unnamed U.S. contractor killed in Iraq, but he was more than that. His name was Nawres Hamid. He was a husband. He was the father of two young sons. He was a resident of California.

Before Nawres became a citizen, he was valiantly serving alongside our troops as a linguist. All of our hearts break for his wife and children, who are left mourning his death.

There are some in this Chamber who seem to be downplaying his death, but his death matters. It matters to his family. It matters to his countrymen. It matters to the President. It matters to me. His death was unnecessary, unprovoked, and it deserved justice.

That is why my next statement carries even more meaning. Red lines should mean something. In this administration, they do. Killing Nawres was a red line. Planning to kill Americans is a red line.

I am confident that the right decision was to take out the man responsible for Nawres' death and the death of hundreds of other Americans.

Iran responded earlier this week by sending missiles to U.S. bases in Iraq. I believe we are all relieved and grateful that there were no American casualties. Iran appears to be pulling back from its strategy of provocation in the face of firm American determination. Iran seems to understand that deescalation is right for them and the world.

Now is the time for our country to come together and speak with one voice, not as Republicans, not as Democrats, but as Americans.

□ 1500

Instead of working with this administration to continue to work toward shared goals, Democrats are using this moment to continue their hatred toward the President.

As my colleague and former CIA officer WILL HURD said, he never thought he would see the day that the Iranian Government would be able to manipulate Members of Congress, Democratic Presidential candidates, and the Western media, yet here we are on this floor today.

If President Trump's instinct is to put America first, his critics' instinct is to blame America first.

The words of my Democratic colleagues, including the Speaker of the House, blame the United States for attacks Iran has been initiating for the past four decades. Now, they want to limit the President's ability to defend America. That is just dangerous.

I want to clear up some news, Madam Speaker, that I actually even recently heard on this floor. I would probably consider it fake news that Democrats have told the American people.

Contrary to their claim, the resolution before the House today is non-binding. It is called a concurrent resolution. This resolution, if passed, won't go to the President's desk for signature. It won't have the power of law.

Madam Speaker, I heard the chairman try to claim that this had power.

I know we have three coequal branches of government.

Madam Speaker, I think the chairman should actually look at what the Supreme Court ruled in the Chadha case, that concurrent resolutions are unconstitutional as a means to limit the executive branch. I think I may need to read it twice, so let's do that.

In fact, the Supreme Court ruled in the Chadha case that concurrent resolutions are unconstitutional as a means to limit the executive branch. The purpose of a concurrent resolution is to deal with mundane housekeeping matters in Congress.

Now, I want everybody to know and understand what we have used concurrent resolutions for—it is very important: to authorize the use of the Capitol Grounds for the Soap Box Derby, to use the rotunda to present a congressional medal to Jack Nicklaus, and to host a birthday party in the Capitol Visitor Center. But the new majority decided to use it for something different.

For a party that wants to claim they care about the Constitution, Madam Speaker, Democrats may want to brush up on their facts. If they did, they would realize their actions today are shameful and embarrassing, even by the low standards they set in their impeachment inquiry.

They seem to have forgotten that we are not the House of Resolutions. We are, actually, the U.S. House of Representatives. Our job isn't to debate feelings. Our job isn't to make recommendations. We are, actually, elected to make law.

But that is not how we are spending our time today. This resolution has as much force of law as a new year's resolution. It is nothing more than a press release to appease their socialist base.

What message is it sending to Iran? That we are strong, determined, and united as a country, or that we are divided, shortsighted, and weak?

Madam Speaker, "In war, resolution," and, "in peace, goodwill." Winston Churchill wrote those words after he led Britain to victory in the Second World War. They describe what he believed were the right actions for great leaders to take at history's defining moment.

We should keep Churchill's words in mind today. President Trump clearly has. Because of President Trump's leadership, the United States and our allies are safer today than we were exactly 1 week ago.

Petty politics are wrong for the country, especially now. Not liking President Trump is not an excuse for failing to see that the President and his administration have a sensible and deeply American strategy for dealing with Iran.

Madam Speaker, I imagine we will continue to hear from other Democrats defending Iran for their escalation and the death of an American. Madam Speaker, I imagine that the Democrats will try to claim a concurrent resolution is more than a Soap Box Derby, but the Supreme Court says otherwise.

Madam Speaker, I imagine I will hear a lot from the Democrats today. I would like to hear a Democrat speak to the 600 Gold Star families whose loved ones were killed by Soleimani. I would like to hear them defend that.

I would like to hear them defend Iran and their actions of burning an embassy, of killing an American, of killing thousands of civilians even in their own country. But they are going to take our time today with something that means nothing.

Yes, they will run to the mikes. They will get on TV. They will tell a little more fake news, that it meant something today.

The only thing that will happen today is it will make Iran believe they are stronger. It will make Iran believe they have allies in the House of Representatives.

Today is a day that we will not be proud of.

Madam Speaker, in light of the information that we have coming out of Iran, if it is true, of why an airliner was shot down, if that was the case, I would like to see a Democrat move to the floor and pull this concurrent resolution. If it means nothing else, I think we should have all the facts.

I look forward to listening, Madam Speaker, to any Democrat who wants to speak to the Gold Star families about why they want to have a debate today and tell them that "Soleimani is bad, but." It is not "but"; it is "because," because he killed Americans, because he killed thousands of civilians. That is why he was taken out, and the world is safer because of it.

Madam Speaker, I look forward to hearing the defense from the other side.

Mr. ENGEL. Madam Speaker, I am sorry that the Republican leader is casting aspersions. I think everyone on both sides of the aisle takes this seriously and has reasons for what we are voting on.

Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. KHANNA), a gentleman who has been very involved in these issues for a long, long time and has been a real leader in these issues.

Mr. KHANNA. Madam Speaker, I thank Chairman ENGEL for yielding and for his leadership.

I rise today not as a partisan but as someone concerned about America's future.

We have worked across the aisle with people like Representative MEADOWS and others to stop our country from getting into endless wars. There is not one party that wants to stop these wars; this is in our national interest.

Now, let's be very clear. Soleimani had blood on his hands. Soleimani was a bad actor. Soleimani killed Americans. That is not the debate.

The debate is whether America should get into another war in the Middle East or whether we should be focused on our real competition, which is China.

We are 21 percent of the world's GDP. China, our competition for the 21st century, is 15 percent. Iran is 0.44 percent of GDP.

China hasn't been in a war since 1979. We are in 40 conflicts.

Future historians will ask why we were so obsessed with a region, the Middle East, with 3.5 percent of GDP, when we should have been focused on investing in our country to build the future, to win the 21st century.

I don't think staying out of bad wars that cost this country trillions of dollars is a Democratic issue or a Republican issue. Frankly, the President ran on this.

I know Leader MCCARTHY says this is a formality. Under the War Powers Act, you are supposed to have a concurrent resolution.

My hope is the President will agree with this and not get us into a war with Iran.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Madam Speaker, I yield an additional 15 seconds to the gentleman.

Mr. KHANNA. Madam Speaker, I appreciate the gentleman yielding.

I will make my final point. This shouldn't be partisan.

Here is what I would love to see, that the President says, in the future action, he is not going to get into a war and that he agrees with the concurrent resolution that this body passes.

Mr. MCCAUL. Madam Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Madam Speaker, I rise today in opposition to this resolution, which curtails the President's authority to protect American interests in the Middle East.

Two weeks ago, Iranian proxies launched a missile attack on American forces in Iraq. This was the 11th such rocket attack by the Iranians in recent months. This time, as our leader said, it killed Nawres Hamid, who was a husband, a father, a contractor, and an American citizen.

The man behind this attack and additional attacks that were being planned and that were imminent was the terrorist mastermind Qasem Soleimani, who was responsible for the deaths, as we have heard, of at least 600, probably many more, Americans and for thousands of others in that part of the world, and for causing destabilization throughout the entire region.

For years now, Soleimani had been leading Iran's shadow war against us and against our allies. In targeting Soleimani, President Trump took bold, long-overdue action, and he ought to be supported for this decision, not criticized.

This resolution, by condemning even limited military force and limited action, would essentially tie the President's hands behind his back as he tries to counter Iran's shadow campaign against us.

Madam Speaker, it makes no sense, this resolution, and I strongly urge my

colleagues to oppose it and vote against it.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, America is not safe or safer because of the acts that occurred local time on January 3, 2020.

America is in more jeopardy, as are our brave men and women in the United States military, whom we hold in the highest esteem and say to their families: We are obligated and committed to honoring and thanking you, but to also recognizing, when we send you into battle, there would and should be the consultation, the engagement, the understanding of the intelligence and the work between Article I, the United States Congress, and Article II, the President of the United States.

I will not allow any Member of Congress to malign my Gold Star families or to suggest that any Member here does not respect the ultimate sacrifice that their family members took. Family members who are Gold Star should not be used in a political debate. They should only be honored.

And I will not accept anyone describing Democrats as mourning terrorists.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Madam Speaker, I yield an additional 15 seconds to the gentlewoman.

Ms. JACKSON LEE. Madam Speaker, what I will say is that nothing in this resolution speaks to any named person. It says that this body, this Congress, must adhere to its duty to be able to ensure that the President of the United States does not unilaterally take us into war with Iran. We will not stand for it.

It does, as well, say that my resolution in 2002 indicated that we should not have gone to war in Iraq.

Madam Speaker, as a senior member of the House Committees on the Judiciary and on Homeland Security, as a member serving in this body on September 11, 2001 and throughout the fateful and tragic war in Iraq, and as an original cosponsor, I rise in strong support of H. Con. Res. 83, a concurrent resolution directing the President to terminate the engagement of United States Armed Forces in hostilities in or against Iran.

I thank the gentlelady from Michigan, Congresswoman ELISSA SLOTKIN, for introducing this resolution and Foreign Affairs Committee Chair ELIOT ENGEL for his work on this important resolution.

I also thank Speaker PELOSI for taking swift action to afford the House the opportunity to honor its constitutional duty to keep the American people safe by limiting the President from taking further precipitous military actions regarding Iran.

We know from bitter and heart-breaking experience the truth that while dangerous and bloody battles are fought by the military, it is the nation that goes to war.

And that is why the Framers lodged the awesome power to declare and take the nation to war not in the hands of a single individual, but through Article I, Section, clause 11

in the collective judgment of Congress, the representatives of the American people.

It is true of course that the United States has an inherent right to self-defense against imminent armed attacks and that it maintains the right to ensure the safety of diplomatic personnel serving abroad.

But in matters of imminent armed attacks, the executive branch must inform Congress as to why military action was necessary within a certain window of opportunity, the possible harm that missing the window would cause, and why the action was likely to prevent future disastrous attacks against the United States.

Only after being fully briefed and informed is the Congress in a position to validate and ratify or disapprove and terminate the action.

Madam Speaker, Section 5(c) of the 1973 War Power Resolution, Pub. L. 93-148, provides that whenever "United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution."

The military action ordered on Friday, January 3, 2020, local time by the President to kill Major General Qasem Soleimani, the head of Iran's Islamic Revolutionary Guard Corps, may have rid the world of a major architect of terror but leaves unanswered the critically important question of why the action was taken at that time.

Even at this late hour, members of Congress have not been briefed or been shown compelling evidence by the Administration that the action was necessary to repel a credible, certain, and imminent attack on the United States, its allies, or American civilians or military personnel.

The Administration has yet to provide proof or assuage the concerns of most member of Congress, and of the American people, that the killing of Major General Soleimani was a necessary action that was the product of a carefully crafted geopolitical strategy developed after extensive discussion within the national security apparatus regarding the short and long-term consequences for the security of the region and our nation and its people.

Similarly, we do not know whether the decision to engage in the hostile action against Iran was made by the President in consultation and agreement with our regional and international allies and whether there is now in place a strategy to ensure that the action taken does not lead to a greater escalation of tensions between Iran and the United States or in the worst case, another war in the Middle East placing at risk the lives and safety of millions of persons.

Madam Speaker, Major General Soleimani was the long-time chief of the Quds Force, the elite special forces battalion of the Islamic Revolutionary Guard Corps (IRGC), assisted Syrian strongman Bashar al Assad slaughter hundreds of thousands of his own people in the Syrian civil war, helped incite the Houthis in Yemen's civil war, and oversaw the brutal killing of hundreds of Iraqi protesters recently demonstrating against Iranian influence in their country.

Iran's Quds Force, under Soleimani's leadership, has long been suspected by the U.S. Government of involvement in a 2011 plot to assassinate the Saudi ambassador to the United States and bore responsibility for the

deaths of more than 600 Americans killed by Iranian proxies since the 2003 inception of the war in Iraq.

Over the past eight months, in response to rising tensions with Iran, the United States has introduced over 15,000 additional forces into the Middle East.

But Major General Soleimani was more than a military leader, he was a high-ranking political leader, second only in power and influence to the Supreme Leader, Ayatollah Ali Khamenei.

In fact, Soleimani was regarded by many as a future president of Iran.

It was foreseeable therefore that the killing of Soleimani by American forces was likely to invite retaliation by Iran putting at risk American military and civilian personnel, as well as its allies in the region and across the globe.

It must be remembered that the United States has national interests in preserving its partnership with Iraq and other countries in the region, including by combating terrorists, including the Islamic State of Iraq and Syria (ISIS); preventing Iran from achieving a nuclear weapons capability; and supporting the people of Iraq, Iran, and other countries throughout the Middle East who demand an end to government corruption and violations of basic human rights.

For these reasons it is essential that the Administration have in place a sound, well-considered, and meticulously developed strategy for managing disputes with Iran.

That does not appear to be the case.

There is no evidence that the Administration consulted with Congress or the Gang of 8, no evidence that it enlisted or even consulted our allies in NATO or the region, no evidence that the Administration has a working and well-functioning national security council apparatus.

This is a critical Pottery Barn failure in dealing with the Middle East for as former Secretary of State Colin Powell stated before the Iraq War, "If you break it, you bought it."

Iran Supreme Leader Ayatollah Khamenei has vowed that a "harsh retaliation is waiting" for the United States as a consequence of the action taken by the Administration.

It is imperative that the Administration have in place a strategy to counter and deescalate any Iranian response and have in place measure to protect the safety of Americans residing or travelling abroad and to protect the security of the homeland.

The deliberate and targeted killing of Major General Soleimani has the potential to be the most consequential assassination of a political leader since World War I was started by the assassination of Archduke Franz Ferdinand Carl Ludwig Joseph Maria of Austria, the heir presumptive of the throne of Austria-Hungary in 1914.

One of the enduring lessons of the Great War too often forgotten but so well documented in Barbara Tuchman's prize-winning history, "The Guns of August," is that misconceptions, miscalculations, and mistakes result in the tragedy of horrific warfare; among them are overestimating the value of one's economic power, harboring an ill-founded belief in quick victory, and a failure to consider political backlash warfare.

Madam Speaker, the decision to send American men and women into harm's way is the most consequential decision the Constitution vests in the Congress and the President.

Members of Congress must be apprised of all facts material to the decision and have ac-

cess to relevant documentation, classified and otherwise, and afforded the opportunity to meet in small groups and in secure locations with senior members of the Administration's national security team who can answer detailed and pointed questions and provide requested information.

The Constitution wisely divides the responsibility of deciding when to use military force to protect the Nation and its interests between the President and the Congress, the representatives of the American people.

The United States' military involvement in Iraq begun in March 2003 and continuing to this day has taught this Nation the importance of having accurate and reliable information when deciding whether to use military force and the painful costs in lives and treasure of acting precipitously or unwisely.

We cannot and dare not repeat that mistake.

That is why I am proud to support and co-sponsor H. Con. Res. 83, the concurrent resolution before us, which directs the President to terminate immediately the use of United States Armed Forces to engage in hostilities in or against Iran or any part of its government or military, unless Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces; or the use of the Armed Forces is necessary and appropriate to defend against an imminent armed attack upon the United States, its territories or possessions, or its Armed Forces, consistent with the requirements of the War Powers Resolution.

Our constituents, all Americans across the country, and the people of the globe are looking to us to ensure that tensions between the United States and Iran are deescalated, that smart power and diplomacy be employed, and every effort be made to ensure the peace and safety in America and the region, and the lives of the innocent not be placed at risk.

Madam Speaker, today our Nation is debating the very profound question of war and peace and the structure and nature of international relations in the 21st century. Before us today is the serious and fundamental question of life and death: whether or not this Congress will give the President authority to commit this Nation to war.

Always a question of the greatest importance, our decision today is further weighted by the fact that we are being asked to sanction a new foreign policy doctrine that gives the President the power to launch a unilateral and preemptive first strike against Iraq before we have utilized our diplomatic options.

My amendment provides an option and the time to pursue it. Its goal is to give the United Nations inspections process a chance to work. It provides an option short of war with the objective of protecting the American people and the world from any threat posed by Iraqi weapons of mass destruction.

The amendment urges the United States to reengage the diplomatic process, and it stresses our government's commitment to eliminating any Iraqi weapons of mass destruction through United Nations inspections and enhanced containment.

It emphasizes the potentially dangerous and disastrous long-term consequences for the United States of codifying the President's announced doctrine of preemption.

The administration's resolution forecloses alternatives to war before we have even tried to pursue them.

We do not need to rush to war, and we should not rush to war. If what we are worried about is the defense of the United States and its people, we do not need this resolution.

If the United States truly faced an imminent attack from anywhere, the President has all of the authority in the world to ensure our defense based on the Constitution, the War Powers Act and the United Nations Charter.

Our own intelligence agencies report that there is currently little chance of chemical and biological attack from Saddam Hussein on U.S. forces or territories. But they emphasize that an attack could become much more likely if Iraq believes that it is about to be attacked. This is a frightening and dangerous potential consequence that requires sober thought and careful reflection.

President Bush's doctrine of preemption violates international law, the United Nations Charter and our own long-term security interests. It will set a precedent that could come back to haunt us.

Do we want to see our claim to preemption echoed by other countries maintaining that they perceive similar threats? India or Pakistan? China or Taiwan? Russia or Georgia?

I would submit that we would have little moral authority to urge other countries to resist launching preemptive strikes themselves. This approach threatens to destabilize the Middle East, unleash new forces of terrorism and instability and completely derail any prospects for peace in the region.

Unilateralism is not the answer. Iraqi weapons of mass destruction are a problem to the world community, and we must confront it and we should do so through the United Nations. Multilateralism and steadfast commitment to international law should be the guiding principle as we move into the 21st century.

As I said, the purpose of my amendment is to let the United Nations do its work. Let us give inspections and other containment mechanisms a chance to succeed once again. Inspections did make real progress in eliminating weapons of mass destruction in the 1990s despite Saddam Hussein's best effort at obstruction and deceit. U.N. inspectors destroyed large stockpiles of chemical weapons, missiles and weapons of mass destruction. We can and should renew and expand this process. In addition to inspections, we should improve border monitoring through an enhanced containment system to prevent shipments of nuclear materials or other weapons to Iraq. And we should install surveillance technology on the border to detect such materials.

As part of enhanced containment, we should work with the countries bordering Iraq and with regional seaports to ensure that United Nations Security Council resolutions are enforced, and we should plug holes in the current arms embargo blanket. We should also work on nonproliferation efforts globally to secure weapons materials.

All of these are diplomatic options that we can and should undertake and which can lead to success.

What we are doing today is building the framework for 21st century international relations. It will either be a framework of unilateralism and insecurity or multilateral cooperation and security. It is our choice.

During the Cold War, the words "first strike" filled us with fear. They still should.

I am really appalled that a democracy, our democracy, is contemplating taking such a

fearsome step and really setting such a terrible international precedent that could be devastating for global stability and for our own moral authority.

We are contemplating sending our young men and women to war where they will be doing the killing and the dying. And we, as representatives of the American people, have no idea where this action will take us, where it will end and what price we will pay in terms of lives and resources. This too should cause us to pause. We have choices, however, and we have an obligation to pursue them, to give U.N. inspections and enhanced containment a chance to work. What this resolution does state very clearly and firmly is that the United States will work to disarm Iraq through United Nations inspections and other diplomatic tools. It states that we reject the doctrine of preemption, and it reaffirms our commitment to our own security and national interests through multilateral diplomacy, not unilateral attack.

I urge you to protect our national interests by giving the United Nations a chance by supporting this amendment.

Mr. McCAUL. Madam Speaker, I yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Madam Speaker, this week, universally respected Senator Joe Lieberman, a Democrat, provided an extraordinary op-ed in *The Wall Street Journal*: "President Trump's order to take out Qasem Soleimani was morally, constitutionally, and strategically correct. . . . No American can dispute that Soleimani created, supported, and directed a network of terrorist organizations that spread havoc in the Middle East." In Syria, "more than 500,000 Syrians have died."

"During the Iraq war, Soleimani oversaw three camps in Iran." These trained fighters have killed more than 600 American soldiers.

The claim that President Trump "had no authority to order this attack without congressional approval is constitutionally untenable and practically senseless. . . . Democrats should leave partisan politics at 'the water's edge' and . . . stand together against Iran and dangerous leaders like Qasem Soleimani."

Senator Joe Lieberman tells the truth. We must resist: "Death to America," "Death to Israel."

I extend our sympathies to the family of Nawres Hamid, an Iraqi American Muslim from California, who was murdered by Soleimani-financed terrorists 13 days ago.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY), a valuable member of the Foreign Affairs Committee.

□ 1515

Mr. CONNOLLY. Madam Speaker, I rise in support of H. Con. Res. 83, directing the President to cease military hostilities against Iran.

Last week, President Trump ordered a provocative and disproportionate drone strike, killing Quds Force commander Major General Qasem Soleimani.

Soleimani was a malign actor who masterminded the killings of many U.S. soldiers, but assassinating him has unleashed the dogs of war. Iran launched a dozen ballistic missiles against two U.S. military bases in Iraq, and we must be prepared for further Iranian retaliation.

These threats stem from the President's fateful and reckless decision to withdraw from the Iran nuclear deal, a deal that was working by every measure, leaving us with no leverage and Iran with nothing to lose.

We don't need another war. Peace demands action now. That is why Congress must reassert its solemn constitutional duty under Article I to decide when and where the United States goes to war. This resolution does just that.

Madam Speaker, I urge my colleagues to support it.

Madam Speaker, on Tuesday night, Iran launched at least a dozen ballistic missiles against two U.S. military bases in Iraq.

Thankfully, there were no American casualties, but I remain concerned about further Iranian retaliation.

These attacks come after President Trump ordered a drone strike that assassinated Iranian Quds Force commander Major General Qasem Soleimani.

Soleimani was a bad actor and masterminded the killings of many U.S. soldiers in Iraq and Lebanon. He will not be missed.

But killing Soleimani was supposed to make us safer. In reality, the President's order has unleashed the dogs of war.

What is unfolding now is the result of the Trump Administration's incoherent foreign policy, stemming from its fateful and reckless decision to withdraw the United States from our own agreement, the Iran nuclear deal.

By all accounts, prior to our withdrawal, Iran was in compliance with the Joint Comprehensive Plan of Action (JCPOA).

It was only after our withdrawal, and re-imposition of sanctions lifted under the agreement, that Iran began to exceed its stockpile of low-enriched uranium, and then resume uranium enrichment.

Following the Soleimani strike, Iran has vowed to ignore all restrictions set by the nuclear deal. This move has set in motion the very thing we were seeking to avoid—a nuclear-armed Iran.

Our abrogation of the Iran nuclear agreement leaves us with no leverage and Iran with nothing to lose.

Iran and its proxy forces have engaged in a series of retaliatory actions: attacks on oil tankers in the Persian Gulf, downing an American drone in international waters, cruise missile attacks against Saudi oil plants, and rocket attacks against U.S. forces in Iraq.

Secretary of State Pompeo claimed, "The world is a much safer place, and I can assure you, Americans in the region are much safer after the demise of Qasem Soleimani."

And yet, in the wake of Soleimani's killing, the State Department has urged Americans to leave Iraq immediately whether by air or by land, and put Americans in the region on high alert.

Two years ago, I warned that we were sleepwalking into an armed conflict. That the hidden scandal of the Iraq War—the manipulation of intelligence to support a predetermined

outcome—was now an overt political strategy to undermine the Iran nuclear deal.

I fear now that these steps have brought us to the brink of war with Iran.

According to Pompeo, “this was an intelligence-based assessment that drove our decision-making process.”

Yet, when asked about the imminent threat facing Americans from Soleimani, Pompeo pointed to a previous attack in Iraq that killed an American contractor and injured four servicemembers, not a new, imminent threat.

Yesterday, the Trump Administration offered a sophomoric and utterly unconvincing briefing to members of Congress on the strike’s rationale.

President Trump’s decision to assassinate Soleimani was provocative and disproportionate and has endangered American lives and the security of the region.

We don’t need another war. Peace demands action now.

That is why Congress must reassert its constitutional authority to decide when and where the United States goes to war.

Article I, Section 8 of the United States Constitution states that “Congress shall have power . . . to declare war . . . and to raise and support armies” and other armed forces.

And today the House of Representatives will make clear that Congress has not authorized President Trump to go to war with Iran.

Neither the 2001 nor the 2002 Authorization for the Use of Military Force (AUMF) authorize the President to attack Iran or its senior officials.

I urge my colleagues in both the House and the Senate to support this war powers resolution, and reclaim our solemn constitutional duty to determine when the United States puts our uniformed men and women in harm’s way.

Mr. MCCAUL. Madam Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Speaker, I thank the gentleman from Texas.

This resolution is insincere and unserious. If my colleagues on the other side really want to limit the President’s ability to defend the United States, then they ought to take the vote and limit him and stand for that vote.

Now, if you are not familiar with terrorist Soleimani, let me just acquaint you.

His reign of terror for Americans started with 241 marines in Beirut, Lebanon. He and his organization continued on to the Khobar Towers, hundreds and hundreds of Americans dead by IEDs and thousands maimed. A servicemember from Pennsylvania incinerated—incinerated—in the vehicle that he was in.

Thank you terrorist Soleimani.

The President does not desire war with Iran or anyone else, but Iran has been fighting us since 1979.

I have got a news flash for everybody: They have been at war with the United States since they punched us in the face in 1979.

Washington has been appeasing Iran, and the policy of appeasement has been getting Americans killed since 1979.

542, that is the number of drone attacks under the Obama administration

in places like Yemen, Somalia, Pakistan.

Oh, by the way, not the theatre of war for the United States. Not a peep, Madam Speaker, not a peep from the other side.

The terrorist state of Iran cannot continue killing Americans and cannot have a nuclear bomb. Madam Speaker, it is time to stand up for America and Americans, including this President.

Mr. ENGEL. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN), a longtime valued member of the House Foreign Affairs Committee.

Mr. SHERMAN. Madam Speaker, this resolution imposes extraordinary restrictions on this President, an extraordinary President who needs extraordinary restrictions.

This is best exemplified by the President’s gratuitous comment that he would hit cultural sites in Iran. Not only is that a war crime, but it is a mistake because it drives the Iranian people toward the regime while alienating our European allies whose support for our sanctions is critical for them to work.

The minority leader came to this floor and said Democrats were dupes of the Islamic Republic. I will compare my record of efforts against the Islamic Republic of Iran with those of any other Member.

You could argue whether Soleimani’s death makes us safer or not over the next few months. We have removed a terrorist mastermind from the battlefield, but we have inspired the other terrorists.

The real issue is the effect on Iran’s program. That program is more robust today than it was a week ago, as Iran has employed more centrifuges and is building a larger stockpile, all without our European friends, who are still in the JCPOA taking any action against Iran.

There was no policy process on the golf course where the President made this decision. He heard not from a single expert on Iranian politics, religion, or the economy.

Our maximum pressure campaign is designed to put such pressure on the Iranian people that they choose not to endure it, but demand that the nuclear program be scaled back or ended, or that the regime that has that program be swept away.

This assassination undercuts that effort by building support for the regime and its nuclear program with most of the Iranian people by making Soleimani a martyr in front of a Shiite population, a Shiite religion that lionizes martyrdom, we increase the likelihood of an Iranian nuclear weapon.

Mr. MCCAUL. Madam Speaker, I yield 1½ minutes to the gentlemen from New York (Mr. ZELDIN), a member of the Foreign Affairs Committee.

Mr. ZELDIN. Madam Speaker, I rise in strong opposition to this resolution. I rise in total support of the decision to remove Qasem Soleimani.

I have heard the use of the word “disproportionate” from the Speaker. I have heard it here today on the House floor, and it is just a shocking word to be used to describe what took place. It makes me ask the question: At what point is it proportionate to take out a designated terrorist who kills 600 U.S. troops, wounds thousands of others, kills and wounds troops recently, and his proxies attack a U.S. Embassy?

If anyone has any doubt as to what Qasem Soleimani was doing in Iraq at the time we took him out, you can look at the IRGC’s own words. The IRGC put out a statement saying that Soleimani and companions were on their way to “plan a confrontation against the new scheme of the Americans to rebuild Daesh and the Takfiri groups in order to again disrupt Iraq’s security.”

Who needs an intelligence briefing to determine that this is totally legitimate?

On behalf of all of those Gold Star families and all the Blue Star families, of anyone who is deployed now, anyone who is in harm’s way, if you need proof, go to Walter Reed. If you need proof, sit down with some of these Gold Star families who lost their sons, their daughters, their fathers, their mothers, their brothers, and their sisters because of this designated foreign terrorist running a designated foreign terrorist organization, who was sanctioned by the United States, by EU, and by the United Nations.

I say good riddance.

Why are we having this debate? We should be coming together, not as Republicans first, not as Democrats first. We should be coming together as Americans first and voting this down.

Mr. ENGEL. Madam Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN), a valued member of the Foreign Affairs Committee.

Mr. LEVIN of Michigan. Madam Speaker, I rise in strong support of this resolution sponsored by my good friend from Michigan, Congresswoman SLOTKIN.

The Trump administration’s foreign policy failures have brought us to the brink of war. The administration has provided no evidence to demonstrate what imminent threat made Qasem Soleimani’s assassination and the perilous, predictable fallout necessary. But they have demonstrated a shocking dismissiveness as to what is at stake.

On the threat of retaliation from Iran, Secretary Pompeo said it may be that there is a little noise here in the interim. President Trump said, if it happens, it happens.

To the parents who are worried sick about their kids serving in the Middle East, it isn’t a little noise. Their children’s lives are at stake. Those stakes make today’s vote necessary.

The question before us is simple. Can we let this President drag us into another war that will cost billions of taxpayer dollars and, most importantly,

American lives? Will we at long last stand up and fulfill our constitutional duty to make decisions on war and peace?

Madam Speaker, I urge my colleagues to vote for this resolution.

Mr. McCAUL. Madam Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Madam Speaker, I rise today in strong opposition to the Democrats' dangerous resolution to undermine our national defense and allow unchecked Iranian aggression against the United States and our allies.

This resolution intends to cripple our ability to protect American soldiers serving in the Middle East and attempts to forbid the use of force against Iran, even if they are attacking Americans.

I am shocked and saddened by the partisanship of this Chamber. I was proud when former President Obama succeeded in his decision to kill Osama bin Laden in Pakistan. I am proud that President Trump ended Qasem Soleimani's brutal reign of terror that killed and maimed countless Americans and coalition forces and threatened many more to come.

But, instead of uniting behind the President's defensive position to strike one of the world's most powerful terrorists who was organizing attacks against Americans in Iraq, instead, many Democrats are arguing that the American President himself is guilty of aggression and escalation. This, Madam Speaker, is unconscionable.

These are pictures from the Military Times showing the assault and the burning of our Embassy in Baghdad.

I agree with the President that attacking Americans is never acceptable and Iran should be held to account. When American lives hang in the balance, Article II of the Constitution empowers the President to use force to protect and defend our country.

Madam Speaker, I urge my colleagues to oppose this egregious, partisan farce.

Mr. ENGEL. Madam Speaker, I now yield 1 minute to the gentleman from Massachusetts (Mr. KEATING), a valued member of the Foreign Affairs Committee, the chair of the Subcommittee on Europe, Eurasia, Energy, and the Environment.

Mr. KEATING. Madam Speaker, today we debate much more than the words on parchment that define our congressional responsibility.

Long before I knew this legal responsibility, I learned the moral responsibility inherent to what must be the most sober and deliberate decision we can humanly muster.

As a young boy, indelibly etched in my mind is the conversation with my grandmother the day she pulled a box out from underneath her bed, reverently handing me the medals and final belongings of my uncle who was killed in action and telling me about her lost son. I wondered then what was

so important to justify such a loss and what my uncle must have been thinking about.

That day carried with me as I traveled to Iraq as a newly elected Congressman to visit our troops during a time of war. I remember having a conversation with a young marine. I asked him his personal thoughts about the goals of the war, what he thought, did he think it was justified. He told me: "With all due respect, sir, that is your job. My job is to serve."

He was right. It is our job. That is why we are debating this, and that is why I am supporting this resolution.

Mr. McCAUL. Madam Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Ms. CHENEY), the distinguished Republican Conference chair.

Ms. CHENEY. Madam Speaker, the measure before us is an unconstitutional political stunt meant to undermine the President of the United States. It will not become law, but it will embolden Iran.

The Speaker and my colleagues who support this resolution ought to admit to the American people what they are doing, that is, undermining United States defense policy towards Iran.

Qasem Soleimani, the lead architect and overseer of Iran's web of terror is dead. This terrorist was responsible for the deaths of hundreds of American servicemembers, the killing of an American citizen in Iraq just 2 weeks ago, and the recent assaults against our Embassy in Baghdad. He was engaged in planning for further deadly attacks.

But the Democrats in this body are so consumed by their hatred of President Trump that they will not even stand with him in support of the killing of the world's deadliest terrorist.

□ 1530

Instead, they have suggested a moral equivalence between the United States and Iran. The Speaker of the House even blamed America, describing the killing of Soleimani as "an unnecessary provocation."

Madam Speaker, what is a provocation is the introduction of this resolution, which shows doubt about American resolve. It makes war more, not less likely.

Madam Speaker, I urge my colleagues to stand united as Americans—to put partisan stunts aside—and to oppose this dangerous resolution.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. OMAR).

Ms. OMAR. Madam Speaker, this administration says starving the Iranian economy is in defense of human rights, when it is an abuse of them; and that their withdrawal from the nuclear deal was a demonstration of American leadership, when it was an abandonment of it.

Escalation is deescalation, and war is peace.

In fact, they are asking us to deny reality. The reality is that families of

American soldiers and diplomats are being kept awake at night worrying.

The Iraqi people who suffered decades of unjust war are now unjustly suffering as their country becomes a battleground in a proxy war.

The Iranian people have suffered because of maximum pressure and will suffer because of this escalation.

John Quincy Adams said:

America goes not abroad in search of monsters. America's glory is not dominion, but liberty.

This administration has gone abroad in search of monsters to destroy. May God show us the way to freedom, independence, and peace.

Mr. McCAUL. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MAST), a member of the Foreign Affairs Committee.

Mr. MAST. Madam Speaker, make no mistake, this resolution is about the killing of Soleimani. He was a terrorist, no different than al-Baghdadi, then al-Zarqawi, then Osama bin Laden, then Khalid Sheikh Mohammed. He was the head of a designated terrorist organization no different than ISIS or al-Qaida.

He was responsible for the deaths of our men and women—and I know most in here haven't seen or smelled or touched that kind of death, but let me tell you about it. They were burned alive inside of their Humvees. Their lungs were scorched by the flames of the explosions.

The vehicle fragments were blown into their skulls. Some of them were paralyzed. Some of them had their arms blown off. Some of them had their legs blown off. Some of them will never see again. Some of them will never be recognized again by those who knew them previously.

Each and every one of them, they are the credible explanation for deleting this terrorist target from our world.

And no doubt, it is dangerous to take out a terrorist target, but a coward is somebody who lacks the courage to endure danger. This is the fundamental difference in voting "yes" or "no" here.

If you vote "no," you understand that we would be justified to kill 100 Soleimanis for just one of our heroes who have been killed by him. The danger would be worth it.

For those who vote "yes," they see that he has killed hundreds of our servicemembers but can still not find the justification to kill him because, unlike our fallen heroes, they lack the courage to endure danger.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. TRONE), a valued member of the Foreign Affairs Committee.

Mr. TRONE. Madam Speaker, I rise today in opposition to an unnecessary war with Iran in support of this resolution.

Today, the question before us is: Are the American people more safe or less safe after the killing of Qasem Soleimani?

As a member of the Foreign Affairs Committee, I have significant concerns about the administration's inability to answer this question and communicate a coherent strategy to avoid war and keep us safe.

The American people have seen no evidence that killing Soleimani was a result of an imminent threat; no evidence of a discernible political plan for our policy toward Iran moving forward.

Questions of war and peace are the most fundamental of the issues that come before this Congress. They require deliberate and thoughtful decisionmaking. This action by the administration was not that.

Madam Speaker, I urge my colleagues to vote in favor of this resolution.

Mr. MCCAUL. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Madam Speaker, I thank the gentleman for yielding.

I never thought that I would hear on this House floor an apology to the Iranian people for an action that we took that was justified, taking out a terrorist. I cannot believe it.

And, yet, we just heard that on this House floor. We have a gentleman who gave his legs in service to this country and, yet, we are apologizing to the Iranians with a nonbinding resolution that is nothing more than a press release, Madam Speaker. It has no effect. It doesn't do anything. In fact, the Supreme Court says that. They know that.

All they are doing is trying to get a press release to keep them from having a primary opponent. This is a sad, sad day. And, yet, here we are, having another speech to try to take on the President of the United States for actually taking out a terrorist.

I would ask my colleagues opposite: How many Americans does a terrorist have to kill before they join with us? Is 600 not enough? Does it have to be 1,000, 10,000, a million? At some point we have to stand up and let the long arm of justice go in and take out these terrorists.

I am here to tell you today that this nonbinding resolution, indeed, they want to talk about their constitutional requirement, well, check with the Supreme Court. In 1983, they ruled that this has no effect. At least our Senators opposite, they know that. It has to be a joint resolution.

And, yet, what is this vehicle normally designed for? For Soap Box Derbies. Well, at least that accomplishes something. All this does is emboldens our enemies to suggest that the American people are divided.

But I am here to tell you that we are not divided. We are a safer country because of the actions of this President, the decisive actions of this President and our military.

More important than that, this War Powers Act that got passed, it was a message that came out of a difficult

time. But I want the message to be clear today. We are standing behind our military men and women. We have their back, and we will not yield.

Mr. ENGEL. Madam Speaker, let me remind my friend that we, too, cherish our military and also have their backs.

Madam Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), chairwoman of the Committee on Oversight and Reform.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise today in support of this resolution. Congress has constitutional authority when it comes to one of the most important decisions any of us can make: to send our brave men and women of the Armed Forces into harm's way in service of our country.

Recent events demonstrate just how important this congressional role is. When the President decided to strike a high-level Iranian official, he made a decision that was provocative in the strongest sense of the word. He did that without any meaningful congressional consultation.

The information that we have received is woefully insufficient, including the notification and the briefing provided by senior officials yesterday.

Congress and the American people have no assurance that the President is acting as part of a well-thought-out strategy that makes Americans safer rather than sets us on a war path.

I am deeply opposed to an unauthorized war with Iran. That is why I support this resolution, which reiterates that only Congress can declare war and that we have not done so here.

Mr. MCCAUL. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER).

Mr. RESCHENTHALER. Madam Speaker, I oppose this dangerous resolution. Iran has been at war with us for 40 years. They held Americans hostage in Tehran. They murdered our marines in Beirut. They killed hundreds, if not thousands, of American servicemembers in Iraq.

In recent months, Iran shot down a U.S. drone, they killed an American citizen, and they organized an attack on our embassy.

So let's be clear: General Soleimani was the mastermind behind these attacks. Soleimani was in Iraq claiming imminent attacks on our servicemembers, our diplomats, and our Iraqi allies.

Soleimani was an enemy combatant and a lawful target. As a Navy JAG, I prosecuted terrorists in Iraq. I was actually stationed right across from our embassy in Baghdad, and I witnessed these threats on our Armed Forces. So I applaud President Trump, I applaud our warfighters, and I applaud our intelligence community for reaching an incredible outcome against Iran.

Soleimani's death was a win for America, for freedom, and for peace. In supporting this resolution, Democrats

are choosing to stand with their far-left radical base rather than standing up against Iran.

Mr. ENGEL. Madam Speaker, it is now my pleasure to yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Madam Speaker, I rise in support of the resolution. Article I, Section 8 of the Constitution grants Congress the power to declare war.

This was not a matter of great controversy among the Founders, because going to war is the most portentous decision that a nation can make. And in our democracy, it is a decision to be undertaken by the people through the Congress, and not by one person.

We are all enormously grateful that no U.S. personnel were killed in Iran's missile strikes, and I hope that the President will take advantage of the momentary calm to deescalate the situation.

But we cannot assume peace will hold indefinitely because of the impulsive actions of this President which have so often brought us to the brink of war.

Qasem Soleimani was a malign force responsible for the death of many Americans, but after the briefings I have received, I have no confidence that there is some broad strategy at work, or that the policies of the President are doing anything but increasing the dangers to the American people.

That is a recipe for disaster, one which increases the likelihood of stumbling into a war that the American people do not want and Congress has not authorized.

The resolution before the House today is a step toward reasserting our constitutional duty to rein in a President whose unilateral actions have isolated us from our allies, increased the risk of a nuclear-armed Iran, and made us less safe.

Finally, I hope the vote today is the first of a broader reassertion of Congress' war powers including the sunset or repeal of the 2001 and 2002 Authorizations for Use of Military Force which have been stretched beyond recognition.

It is past time for Congress to do our job and not simply write the executive a blank check. I urge a "yes" vote on the resolution.

Mr. MCCAUL. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from Kansas (Mr. WATKINS).

Mr. WATKINS. Madam Speaker, I spent somewhere around 8½ years in conflict environments and post-conflict environments between Iraq and Afghanistan. And all that time I knew many people who suffered at the hands of Qasem Soleimani.

One in particular takes me back to 2006 or 2007. I was smoking and joking at the embassy in Baghdad. I was doing so with a friend—really a brother, a West Point classmate—who shortly thereafter went out on a mission and was ultimately killed in a complex attack perpetrated by Qasem Soleimani.

I understand that action leads to risk, but inaction leads to more risk in the long run. And when searching for this divine strategy, look to what tactical operators know to be true, and that is, when we go throughout our work on the ground with the assault rifle in one hand, a sat phone in the other, we need to know that should anything happen to us, our President is going to have the freedom to rain fire down upon our enemies, and I am thankful for that.

Mr. ENGEL. Madam Speaker, it is now my pleasure to yield 1 minute to the gentleman from New York (Mr. ESPAILLAT), an esteemed member the Foreign Affairs Committee.

□ 1545

Mr. ESPAILLAT. Madam Speaker, I rise in support of the resolution.

Without a coherent strategy, such actions as the recent ones that occurred in Iraq present a dangerous move toward the United States' engaging in a war that the American people do not want.

Today, we move to reclaim power that the executive branch has tried to usurp from Congress. We assert our constitutional authority to determine if the country ought to go to war, and we send a message loud and clear that we do not want to go to war.

We will not engage in reckless hostilities to endanger American lives, American interests, and our American values without fully evaluating imminent threat. We must continue to assert that, without new authorizations from Congress, this administration cannot engage in offensive military actions. That is what our Framers intended.

Mr. MCCAUL. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HURD), who is a former CIA officer.

Mr. HURD of Texas. Madam Speaker, right now is not the time for a partisan exercise that could be used as propaganda by the ayatollahs. Instead, Congress should be united in condemning a regime that has been attacking America and our allies for 40 years.

Qasem Soleimani was the head of the most dangerous and well-armed terrorist organization in the world, and his death has removed a major terrorist leader off the battlefield. This decision followed repeated rocket attacks by Iranian proxies on American forces and an attempt to storm our embassy in Baghdad.

This decision was based on intelligence that our Chairman of the Joint Chiefs of Staff has described as compelling, imminent, and very clear, as Soleimani was planning attacks against our troops. This is an assessment with which I concur.

No one wants another war in the Middle East. Instead of tying the hands of our military, we should be sending a strong message to the Iranian regime that there will be consequences for their reign of terror, and we will protect our citizens at all costs.

The Iranian regime has killed over 600 American troops in Iraq. They have killed over 1,500 of their own people for peacefully protesting. They have lied to the world about their nuclear arsenal.

Appeasing them will only make future conflict and bloodshed more likely. That is why I wish today, instead of this partisan exercise, that we were sending to the Government of Iran a clearer message that no elected official in America is supportive of its behavior.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Madam Speaker, President Bush's invasion of Iraq was the first foreign policy mistake in the history of the United States based on fake intelligence, and President Trump took us to the brink of war with Iran with an impulsive act at the end of last week that would be even more disastrous than the war with Iraq, which is still reverberating throughout the region.

Some on that side say: Oh, you are not with the troops; you are apologizing.

No, we are not. We are reasserting the constitutional duty that we are sworn to in this House of Representatives. Congress and only Congress can declare war. Once we have declared war, then the President of the United States as Commander in Chief can conduct it, as much as this gentleman could.

This is just a step. We need to repeal the Authorization for Use of Military Force against Iraq based on fake intelligence because that was his lawyer's rationalization of why they could do this in Iraq, a sovereign nation, without their permission.

We also have to reform the War Powers Act because the War Powers Act itself does not reflect our constitutional authority.

Finally, we have to pass an amendment to prohibit a hostile action against Iran without authority from Congress.

Mr. MCCAUL. Madam Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Madam Speaker, I oppose this resolution that is designed to embarrass our President in front of the world and, in reality, gives comfort to Iran's leadership. It weakens America and emboldens our enemies.

This resolution is not needed. The War Powers Act is still in effect, and the President is not conducting combat operations against Iran. He wants deescalation; he does not want war.

He is not doing what President Obama did in Libya. What the President did was a onetime defensive operation, when he targeted General Soleimani.

Let us be clear: Soleimani murdered 609 Americans in Iraq. His proxies attacked our embassy, and the Quds Force he commanded shed blood across

the world. He even attempted terrorism right here in Washington, D.C. He was the number one threat to Israel, and he was anti-Semitism personified.

I knew who Soleimani was when I was in Iraq. We were targeted by rockets every single day from Iranian proxies trained in, funded by, and armed by Iran and sometimes led by Iranian commanders, and fellow Americans died.

The targeting of Soleimani is justice for the 609 families who had a son or daughter murdered by this guy and the thousands missing an arm or a leg because of his savagery.

In bringing up this resolution, the Speaker said that our targeting of Soleimani was disproportionate. It is disgusting. This guy killed 609 Americans in Iraq alone. He was the mastermind.

Does it take 100 more? 200 more? 300 more? It is vile.

Our strike was also defensive. General Milley said that he saw some of the best intelligence he has ever seen and that it clearly showed Soleimani was in Baghdad, planning an imminent attack on Americans. To deny this is to call General Milley a liar.

This resolution weakens America and gives hope to the Ayatollah that we don't have the resolve to stand up to these attacks. A house divided will not stand. I pray wise leadership prevails and that we unify to oppose Iranian terror that murdered hundreds of our fellow citizens.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE), who has worked very hard on these issues for many years.

Ms. LEE of California. Madam Speaker, I thank the chairman for yielding and also for his tremendous leadership.

Madam Speaker, I rise in strong support of H. Con. Res. 83. This critical resolution helps put a check on this administration's reckless and irrational unauthorized military actions against Iran.

The American people do not want, and we cannot allow, another unnecessary war of choice in the Middle East. This resolution is an important step in our efforts to prevent that from happening. This will restore our constitutional duty over military action.

Also, we must take up my bill, H.R. 2456, to repeal the 2002 AUMF and Congressman KHANNA's bill to prohibit any funds for a war with Iran, absent an explicit authorization. My 2002 AUMF amendment was included with bipartisan support in the House and passed in the 2020 NDAA bill, but it was stripped by Republicans from the final bill. Now, I know why.

Madam Speaker, this administration has falsely claimed that the 2002 AUMF could be used as a congressional authorization to attack Iran, which is completely outrageous.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Madam Speaker, I yield the gentlewoman an additional 15 seconds.

Ms. LEE of California. Madam Speaker, let me be clear: U.S. military deployment and operations carried out pursuant to the 2002 AUMF officially concluded in 2011. Maintaining this authorization is not only dangerous, but it is irresponsible.

Madam Speaker, it is past time to return to diplomacy and end these endless wars, and I urge an "aye" vote on H. Con. Res. 83.

Mr. MCCAUL. Madam Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. PALAZZO), who is a Marine veteran of the Persian Gulf war and a current member of the Mississippi National Guard.

Mr. PALAZZO. Madam Speaker, I rise today in strong opposition to this resolution.

Let's be clear with the American people: Democrats wrote this bill before being briefed by senior intelligence officials on the strike that eliminated Soleimani, a well-known terrorist.

At the end of the day, we all know that this man was responsible for the death of thousands of individuals, including over 600 American servicemembers. President Trump was absolutely right to respond and acted within his constitutional authority to protect American citizens. He owes no one an apology. Feelings can be healed, but dead Americans cannot be resurrected.

My question for those on the other side of the aisle who are hellbent on undermining this President over political differences is: How many more Americans did you want to die before President Trump acted?

Let's reflect. President Obama authorized over 540 drone strikes, killing over 3,700 people and more than 320 civilians. Not a single one was authorized by Congress.

As a veteran and member of our United States military, I am ashamed of the behavior I am witnessing now. Our military deserves better, and so do the American people. During a time when our country should unite behind our Commander in Chief, this resolution turns us against ourselves. I support our men and women in uniform and hope my colleagues on the left will come to their senses to do the same.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU), who is a distinguished member of the Foreign Affairs Committee.

Mr. TED LIEU of California. Madam Speaker, I thank Chairman ENGEL for his leadership.

I previously served in Active Duty in the United States military, and if we are going to put our troops in harm's way, we better have a strategy. Unfortunately, we don't have a strategy from the Trump administration. We just have reckless and impulsive decisionmaking by the President.

Let me just ask a very simple question: What are our goals with Iran?

Is it to get them to come back to the negotiating table on the nuclear program? Well, we are further away from that goal now because they have announced they are no longer going to abide by limits on the nuclear program.

Is the goal to get the regime to collapse? We are further from that goal, too, because the Iranian people who previously were protesting their government are rallying behind their leadership.

Or is the goal to work with our allies to contain Iran? Well, we are further away from that goal, too, because the Iraqi parliament just voted to kick us out of their country.

Madam Speaker, we are less safe than we were a week ago. Vote "yes" on this bipartisan resolution.

Mr. MCCAUL. Madam Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN. Madam Chair, many of the senior leadership on the other side of the aisle voted for the 2002 AUMF on Iraq, including the chairman of the Foreign Affairs Committee, the majority leader, and the chairman of the Permanent Select Committee on Intelligence.

The AUMF in 2002 gave this President every bit of authority he needed to go after a terrorist in Iraq. In fact, the terrorist that he killed, Soleimani, was designated under Barack Obama Executive Order No. 13224 as a Specially Designated Global Terrorist in 2011.

Where was the outrage when President Obama was using the same AUMF as justification for dropping bombs in countries like Yemen or Syria, or violating the sovereign airspace of Pakistan, which we all agreed with, but violated the airspace of Pakistan to go in and kill Osama bin Laden?

We were fine with that. This is a Specially Designated Global Terrorist who deserved death after he was responsible for 600-plus American deaths, atrocious and abysmal acts.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Madam Speaker, there are two times we are going to be called to account for our votes here in Congress. One is at our next election; the other is when we draw our last breath of air. I am more concerned about the latter.

This vote isn't about supporting or opposing President Trump. I voted for President Trump. I plan to vote for President Trump again.

This vote is about exercising our constitutional authority. More importantly, it is about our moral obligation to decide when and where our troops are going to be asked to give their lives.

Congress needs to do more of what we are doing here today. We need to debate our involvement in Afghanistan, and then we need to bring our troops home. We need to debate our involve-

ment in Iraq, and then we need to bring our troops home.

We certainly don't need another war. If we do go to war, it needs to be with the blessing and the support of the people and a mission that our soldiers can accomplish.

We do that by following the vision of our Founding Fathers: We debate it here on the floor of the House.

That is what this resolution is about, and I urge my colleagues to vote "yes."

Mr. MCCAUL. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. SCALISE), who is the Republican whip.

Mr. SCALISE. Madam Speaker, I thank my colleague from Texas for yielding.

Madam Speaker, I rise in strong opposition to this resolution. If you look at what they are attempting to do, there has been a lot of talk about the 2002 AUMF, Madam Speaker, and I am sure, as Congress has over the years, we will continue to have a healthy debate over what that proper role should be of Congress as it relates to the 2002 AUMF. But that is not what this debate is about.

When you read the resolution, in fact, just by its own name, this is not an act of Congress. This isn't even changing the law. So if you want to have a sincere debate over what that power should be that Congress gave to the executive branch, then let's have that debate. But don't try to pass some fig leaf resolution that is only intended to try to undermine the President in the middle of a conflict with the world's largest state sponsor of terrorism, Iran.

There is no dispute about how bad of an evil terrorist Soleimani was, yet here you hear all of these equivocations: Oh, Soleimani was bad person but.

Madam Speaker, how can you sit here and try to apologize for the things that he did by saying that taking him out was wrong?

This world is a safer place with Soleimani gone. If you want to apologize to anybody, go apologize to the families of those hundreds of men and women in our uniform who are dead at the hands of Soleimani, not only the people whom he had already killed but the even more Americans whom at the very time of his death he was plotting to kill.

□ 1600

How much is enough? At what point do we say: Take him off the face of this planet so he can't kill more innocent people? That is what was ultimately done.

We support President Trump in his efforts at keeping America safe, just like we supported President Obama when he took out Osama bin Laden, another evil terrorist who had the blood of thousands of Americans on his hands.

If we are going to be serious about keeping this country safe, absolutely,

there is a role for Congress to play, but you have got to support the efforts of your Commander in Chief to carry out his constitutional duty which he has to keep this country safe.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his leadership in bringing this important opportunity for us to express our concern about the President's actions. I salute him and the support on the other side of the aisle for this legislation.

As we know, last week, the Trump administration conducted a provocative and disproportionate military airstrike targeting high-level Iranian military officials, and he did so without consulting Congress.

When I first heard from the administration, the Secretary of Defense and the Chairman of the Joint Chiefs, I said: Why did you not consult Congress in this change in approach?

They said: Because we had to keep this close. We had to keep this close.

You had to keep it close from the Gang of 8, the leadership of the Congress?

We had to keep it close because we didn't want the word get out.

Well, we deserve the respect from the administration, and the Congress deserves, by dint of the Constitution, the requirement of the administration to consult with Congress.

We know full well, better than many in the administration, the importance of classified information. We know that we are supposed to support sources and methods. We also know that the consultation that they would give to us does not enable us to divulge any information.

So who are they keeping it close from? They admitted, this administration, they were keeping it close from the Congress of the United States, and they did so.

Now, they did a classified presentation yesterday, which their own party members, Republican Senators, said it was the most demeaning and worst classified briefing that they had had. I, myself, think there is stiff competition for that designation of "worst presentation" by this administration in a classified briefing.

But all that is to say that the Constitution of the United States calls for there to be cooperation when we decide about initiating hostilities. Congress has the right to declare war. When do you decide that it is war? When do you decide it is just hostilities? When does that end? What line do you cross?

But, with the President's actions last week, he endangered our servicemen and -women, our diplomats and others by taking a serious risk of escalation of tensions with Iran.

This does not come with any respect for Iran. We know what bad actors they are in the world. I, from my intel-

ligence background, know that Soleimani was somebody whom we do not mourn the loss of. He did very evil things in the world. But we also know that when we take an action, we have to understand the ramifications of it.

Others could have taken Soleimani out. Israel could have taken Soleimani out, but they didn't. They didn't.

So, that has happened. That is where it is. As we go forward, it is really important for us to address the parameters of the War Powers Act, and that is what we are doing here today.

The Members of Congress have serious and urgent concerns about the administration's decision to engage—I use the term "decision" loosely—to engage in hostilities against Iran, and it is about a lack of strategy. What is the strategy to move forward?

Again, they did not consult with Congress. They gave a presentation that, by their own side of the aisle, has been described as demeaning and the worst. And then they tell Members to go read the classified documents.

Classified? Why are these documents classified? Why can't the American people know?

We understand redactions of sources and methods and the rest, but, if you read that document, you would know there is no reason for it to be classified; and without going into any substantive matters of what happened yesterday in the classified briefing, it is fair to say that Members were told to go read other documents which are redacted and, in many cases, classified unnecessarily.

Our concerns were not addressed by the President's insufficient War Powers authorization, which was classified in its entirety, leaving the Congress and the public in the dark about our national security, and our concerns were not addressed by the administration's briefing yesterday.

Today, to honor our duty to keep the American people safe—that is our first responsibility, to protect and defend; we must keep the American people safe—the House will pass a War Powers Resolution to limit the President's military actions regarding Iran.

Congress is reasserting our long-established oversight responsibilities as we mandate that, if no further Congressional action is taken, the administration's military hostilities with regard to Iran must end.

We salute Congresswoman SLOTKIN for her leadership in this resolution. She is a former CIA and Department of Defense analyst specializing in Shiite militias, who served multiple tours in the region under both Democratic and Republican Presidents.

It is important to know, because I heard the distinguished whip on the other side of the aisle ask: How come it is just a concurrent resolution? It is because, under the War Powers Act, that is one of the options that is provided. You can do a joint resolution, House resolution, or you can do a concurrent resolution.

The value and the beauty and the exquisite nature of a concurrent resolution is that it does not have to be signed by the President of the United States. The Congress of the United States, in its full power and full voice, can speak in a united way about what the War Powers Act should look like, and that should count for something to our colleagues who serve in the Congress of the United States. So, under the authority of the War Powers Act that gives us this option, we take this opportunity to do so.

I implore the administration to work with Congress to advance immediate, effective, deescalatory strategy that prevents further violence.

I also salute this resolution because it does give opportunity for the administration to act under certain circumstances which are part of the War Powers Act.

Madam Speaker, in December, a group of us, in a bipartisan way, traveled to Belgium and Luxembourg to observe the 75th anniversary of the Battle of the Bulge and who served in that battle. One of our Members, ANNIE KUSTER, her father served in that, and she has letters from him at that time.

Other Members, on both sides of the aisle—Mr. SETH MOULTON, his grandfather served in the Battle of the Bulge—also on the Republican side of the aisle, the House and in the Senate.

And why I bring it up is this. That Battle of the Bulge was a decisive battle in World War II. It was a surprise attack, really, by the Germans. It was a bloody battle. We lost 19,000 Americans—19,000 Americans—in that Battle of the Bulge.

On the days that we were there, when I was listening to the description of it from the veterans who served, it sounded almost like Washington crossing the Delaware, because it was December, as it was in the United States in the beginning of our fight for independence. Supplies were insufficient. The camouflage for snow was not adequate. Our veterans, our then men in uniform were exposed—nurses, too. And it was a triumph that was very decisive in World War II.

And why I bring it up is because, when there was the observance of it—it was parts of 3 days we were there for it. But at the close of it, there was a ceremony that included a speech by the King of Belgium, the Grand Duke of Luxembourg—two of the places where this all took place—and the President of Germany, who spoke beautifully about Germany now, saying: When you freed Luxembourg and Belgium, you also freed the Germans.

What a beautiful statement.

But the close of it was from a veteran who served in the Battle of the Bulge, in his nineties. He was a teenager in the war. We saw the foxholes in which they fought, they lost their comrades in arms. He talked about the brotherhood, and he talked about allies, and he talked about the fight. At the end of the speech, the veteran said: I don't

know if I should say this, but I will. My message to all of you is pray for peace. Pray for peace.

That is what we should be doing is moving toward peace, not escalation of hostilities where that can be avoided. Not because we believe that the other side has good motivations or that Soleimani was not a bad person.

It is not because of what they are; it is because of who we are as Americans: a country that is committed to peace and security and prepared to protect and defend, as President Kennedy said, fight any fight, fight any foe, pay any price to keep the American people safe, but to not be frivolous and cavalier about how we decide to show strength when it really is more of an escalation than a deescalation.

So it is sad because you would think that, any time we would engage in such an important change in approach, we would be working together, consulting together, respecting the approach that each side takes to all of this and, hopefully, just be on one side of it all.

So I think this is very important. It doesn't do everything, and it is said: Well, it doesn't do this; it doesn't do that.

We should never be judging legislation, necessarily, for what it doesn't do, but respecting it for what it does do, and what this does is very important for the security of our country.

Madam Speaker, I urge a "yes" vote.

Mr. MCCAUL. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ROGERS), the ranking member of the Committee on Homeland Security.

Mr. ROGERS of Alabama. Madam Speaker, I thank the ranking member.

Madam Speaker, I rise in strong opposition to this brazen political stunt.

Qasem Soleimani was a vicious terrorist who built a cult following on the backs of dead Americans. He armed Hezbollah, KH, and other Iranian proxies who killed American troops and our allies throughout the Middle East. The Homeland Security and Defense Departments have kept close watch on his terror campaigns for years.

Soleimani was not visiting Baghdad because it was a great holiday destination. He was there to meet the leader of a terrorist group that killed an American just days before.

Our President used the law and his constitutional authority as Commander in Chief to eliminate this terrorist mastermind before he could kill again.

Democrats immediately responded by doubting our intelligence and dismissing the expertise of our military leaders. Now they bring this resolution to the floor that maligns our President, undermines our national security, and makes a martyr of a man who killed nearly 600 Americans.

Mr. Speaker, I urge a "no" vote.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. CLYBURN), the majority whip.

□ 1615

Mr. CLYBURN. Mr. Speaker, I thank my friend for yielding the time.

Speaking out against the Vietnam War in 1967, Dr. Martin Luther King, Jr. implored: "We must move past indecision to action. We must find new ways to speak for peace. If we do not act, we shall surely be dragged down the long, dark, and shameful corridors of time reserved for those who possess power without compassion, might without morality, and strength without sight."

Dr. King's words are just as apropos today. President Trump, in ordering a significant military strike, without seeking authorization, or even consultation with Congress, has brought us to the brink of war.

The Constitution of this great country gives the solemn power to declare war to the people's representatives in Congress, not one person in the White House, whoever that might be.

With this resolution, Congress is acting to uphold our constitutional responsibility. If the President believes military action against Iran is warranted, this resolution, and the Constitution, require him to make the case to Congress and receive authorization.

Mr. Speaker, I truly regret that we find ourselves in the position we are today. The Trump administration's policy toward Iran, abandoning the nuclear deal rather than building on it, while escalating tensions instead, is an unwise application of American power, might, and strength.

The strike against General Soleimani, a bad man who no American mourns, drags us closer to another long, dark, and shameful corridor to an unnecessary war.

Mr. Speaker, I urge the adoption of the resolution.

Mr. MCCAUL. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, our Constitution is clear that only Congress can start a war, but only the President can wage it. Congress started this war with the AUMF in 2002. It is still in effect.

The Founders didn't want one individual getting us into a war; but once in it, they didn't want 535 squabbling prima donnas second-guessing every decision on the battlefield.

President Trump needed no other reason to order the attack that killed Soleimani in Iraq, beyond the simple fact that he was acting as an enemy combatant against U.S. forces in a war zone in which the Congress had authorized the President to take military action.

I happen to believe the AUMF was a colossal mistake, but this resolution doesn't correct that mistake. It compounds it by deliberately undermining the position of the United States Government and the Armed Forces that we sent to Iraq at a perilous moment, which makes it not only unconstitutional, but disgraceful.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CASTRO), the vice chair of the Foreign Affairs Committee, and the chair of the Subcommittee on Oversight and Investigations.

Mr. CASTRO of Texas. Mr. Speaker, in the last few days, the American people have been unwillingly taken to the brink of war at the direction of this administration.

Through reckless actions, the White House has unified the Iranian public, alienated our partners in Iraq and Europe, undermined the fight against ISIS, and left the United States more isolated than before; all in just 1 week, and without the consent of this Congress.

This is a grave and serious moment in our country.

Two days ago, our brave men and women in uniform came under fire from 22 Iranian missiles, in harm's way because of their Commander in Chief.

Every American owes a debt of gratitude to our military for its courage and sacrifice. For that reason, a decision that risks troops' well-being must only be made thoughtfully and with the informed consent of the public and this Congress.

As a Member of Congress, my biggest priority is to protect the safety of the American people, at home and abroad. This can only be done by defending Congress' constitutional authority over declaring war.

For that reason, I urge us to support this resolution.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Major Ronald Culver, Jr., Corporal Justin Mixon, Sergeant Joseph Richard, III, Sergeant Terrell Gilmore, Staff Sergeant Jarred Fontenot, Corporal William Crouch, Private Mark Graham, Staff Sergeant Ronnie Sanders, Staff Sergeant Jacob McMillan, Sergeant Joshua Madden, Sergeant Jay Gauthreaux, Private Joshua Burrows, Corporal Joseph Dumas, Lance Corporal Jon Bowman, Lance Corporal John Hale, Sergeant Matthew Vosbein, Sergeant First Class Terry Wallace, Sergeant Brandon Teeters, Lance Corporal Derrick Cothran, Staff Sergeant Bryan Lewis, Sergeant Julia Atkins, Sergeant Willard Partridge, Corporal David Stewart.

The SPEAKER pro tempore (Mr. BROWN of Maryland). The time of the gentleman has expired.

Mr. MCCAUL. Mr. Speaker, I yield the gentleman from Louisiana an additional 30 seconds.

Mr. ABRAHAM. Sergeant David Murray, First Sergeant Michael Bordon, Sergeant Nicholas Olivier, Sergeant Seth Trahan, Staff Sergeant Jonathan Reed, Sergeant Christopher Ramsey, Sergeant Michael Evans, Sergeant Robert Sweeney, Staff Sergeant William Manuel.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. HOULAHAN), a valued

member of the Foreign Affairs Committee.

Ms. HOULAHAN. Mr. Speaker, I rise in support of the resolution before us today.

Article I, Section 8 of the Constitution states: "Congress shall have the power to declare war." The Founders were unequivocal. Only Congress has the power to authorize acts of war.

Today, we bring forth this resolution to honor our Founding Fathers' vision for our country, for our government, one whose very survival hinges on the separation of powers and each branch's respect for the others' authority.

At this moment we, as a Congress, have an opportunity to pursue de-escalatory actions that protect the lives of our Armed Forces, diplomats, and civilians. I implore the President and this administration to work with this Congress in this effort.

Today marks this first step. We must aggressively pursue diplomacy so that no lives are lost. I encourage all of my colleagues on both sides of the aisle to join in that pursuit.

I urge my colleagues to support this resolution. I urge a "yes" vote.

Mr. MCCAUL. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in strong support of a President who carried out his oath of office.

I am afraid the reason we are here today, again, is out of pure opposition to this President, and not the serious national security issues at hand.

Make no mistake; terrorist Soleimani is responsible for the deaths of hundreds of Americans, including those that my friend and colleague, RALPH ABRAHAM, just read. Hundreds of Americans; and he was plotting to kill many more.

The President used his full legal authority to take defensive action and eliminate this brutal terrorist. The world is safer today because of it.

In times like these, we need to come together as a country and stand behind our men and women in uniform. Whoever occupies the White House should have the ability to direct and address threats and prevent American bloodshed.

Just 48 hours ago, Iran attacked U.S. military personnel; and yet, we are hastily voting on this partisan resolution that will weaken national security.

I urge my colleagues to vote "no" on this political show resolution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the War Powers Resolution as an original cosponsor. This is a grave and pivotal moment in American history, and we must be greatly concerned for the security of our troops and the safety of the American people.

We live in an era of hybrid warfare and high-intensity reaction. One reck-

less military strike can incentivize countermeasures, not just in the immediate region, but thousands of miles away by Iran's proxies. Wise use of force matters.

Without congressional authorization, and in defiance of our Constitution, this President ordered an unprecedented strike on Iran's top generals.

There is no doubt Soleimani was a fierce enemy of liberty. However, this Lone Ranger attack by the President risks all-out war, greater instability in Iraq and Iran, losing the edge we have gained at such great cost; and some of those names have been put on the RECORD today.

We must protect against further attacks on our servicemembers and attacks on U.S. assets, wherever they might exist.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Mr. Speaker, I yield the gentlewoman from Ohio an additional 15 seconds.

Ms. KAPTUR. To those ends, the American people deserve full transparency. The President must take steps to de-escalate this highly volatile situation in a most ungovernable part of the world.

Let us rigorously pursue, with our allies, turning back Iran's development of nuclear weapons. And let us do all we can to uphold our beloved Constitution, put raging bulls back in their cages, and make the American people safer.

Mr. MCCAUL. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from the great State of Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Mr. Speaker, I thank my friend and fellow Texan, Ranking Member MCCAUL, for his strong leadership.

Mr. Speaker, it is one thing to weaponize impeachment to discredit the President. It is a whole other thing to handcuff our Commander in Chief and jeopardize the safety of our soldiers and prevent them from defending themselves.

Thankfully, this is a partisan resolution that is going nowhere. But it is also disturbing insight into the naive and impotent ideology of appeasement that invited Russia into Syria, created ISIS in Iraq, and emboldened Iran to terrorize and brutally murder throughout the Middle East.

This is not a resolution. This is a retreat, a de facto apology. But for what? For ridding the world of a brutal terrorist with American blood on his hands?

If this resolution were to become law, Mr. Speaker, it would be a death warrant, and not for the worst of terrorists, but for the best of Americans, our sons and daughters on the battlefield who would be left defenseless, sitting ducks for a murderous mob of mullahs in Iran and Iranian-backed militias throughout the region.

Mr. Speaker, I urge a "no" vote.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, it is past time for Congress to exert our authority over the questions of war and peace; and I am proud to vote for this concurrent resolution to invoke the War Powers Act in order to restrain this reckless President.

This vote would halt military operations and force the President to come to Congress to authorize any further acts of war.

The President, remarkably, said: "All is well."

Well, Mr. President, it is not well. Iran announced that it would withdraw from the nuclear agreement and will begin to resume its nuclear weapons plan. The United States has been forced to stop its actions against ISIS. Iraq is likely to expel the United States from its country, fulfilling what has been a dream, actually, of Soleimani.

Our European allies are angry because they were not alerted, and our actions have united the people of Iraq against us, and the people of Iran are together now.

Mr. President, America is not safer because of what you have done. And we must pass this resolution.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

□ 1630

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Let us hope that demagoguery will not play too great a part in the consideration of this piece of legislation. I just heard one of my colleagues on the other side mischaracterize the position of my party and of this resolution.

This resolution is the law. This resolution is consistent with not only the law, the War Powers Act, but the Constitution of the United States.

I thank Representative SLOTKIN for authoring this resolution, as well as Chairman SMITH, Chairman ENGEL, Representative KHANNA, Representative LEE, and others who have been working hard to ensure that Congress maintains its role as a coequal branch of government when it comes to matters of war and peace.

This President, as we have seen, has consistently treated the legislative branch as inferior to the executive branch. Sadly, Mr. Speaker, we have had numerous votes on this floor last year to stand up for the coequal status of the Congress of the United States. Too often, our Republican friends have sided with the executive department, diminishing the authority and the position of the Congress of the United States. This is not about this President, nor is it about shrinking from confronting terrorism and terrorists.

Again and again, we have seen this President ignore Congress' directives on appropriations, including by shifting money away from the military to

fund his costly and ineffective border wall. This President has refused to disburse emergency funding for disaster relief that Congress allocated to help the people of Puerto Rico and other places where Americans are in need of help. This President withheld congressionally appropriated funding to help Ukraine repel Russian terrorism.

After criticizing his predecessor for the use of executive orders, President Trump has doubled down on using them to circumvent the will of Congress and the American people.

This resolution is to say: Mr. President, obey the law, obey the Constitution of the United States of America, which gives Congress the sole authority to declare war.

If you read the language of the resolution, it continues to say that we are for, certainly, defending any of our people at risk, period. The War Powers Act provides for that. Article II of the Constitution provides for that.

The President has ignored congressional subpoenas for documents and testimony, directing subordinates to build a wall of obstruction unseen in our history. It should, therefore, be no surprise that we representatives of the 320-plus million people of America, who expect us to be their voice in this critical issue of declaring war—and this resolution does not prohibit in any way the President of the United States, under his Article II powers, acting to defend our military, our allies, and our homeland.

With the actions taken last week, the President is unilaterally moving us toward involvement in another deadly and destabilizing war in the Middle East.

I am glad, frankly, as we all are, that the response that came from Iran was either ineffective or simply meant to be a message. I don't know which.

Thankfully, however, the Congress has, under law and our Constitution, a remedy to reassert our position as a co-equal branch—as a matter of fact, an Article I branch—and ensure, as the Founders intended, that only the Congress, speaking on behalf of all the people, could declare war.

Congress passed the War Powers Act in 1973 because they believed a Democratic President, and it was a Democratic Congress that adopted the War Powers Act, because they believed a Democratic President had overstepped the bounds.

Congress passed the War Powers Act in 1973, determined to ensure that no President can send our troops into war without the people's representatives authorizing it. I suggest to my friends on both sides of the aisle that is what the Founders intended.

We must use this tool of congressional power or, by our silence, acquiesce to the growth of the imperial Presidency, which by the way, has been going on for some 40 years, maybe even 50 years, irrespective of who is President.

This is not a partisan resolution. This is a resolution consistent with the

Constitution of the United States of America, which did not want a single person to be able to take America to war, to put our men and women at risk.

Let us be absolutely clear: Qasem Soleimani was a dangerous purveyor of terror and violence and a practice thereof. He was an architect of Iranian efforts to dominate the Middle East through aggression and fear. He has American blood on his hands, as well as the blood of our allies.

He has met the justice he deserves. I say that notwithstanding the fact I do not know from the information I have received whether or not, in fact, it was absolutely essential to take his life now because of imminent danger. Perhaps it was.

In any event, no one laments the loss of Soleimani's life, at least in this country and by freedom-loving people throughout the world. We are relieved that the Iranian counterstrike was limited and caused no American or allied casualties.

Mr. Speaker, my constituents and the American people are deeply concerned about what comes next with a possibility of further retaliation and escalation from Iran or its proxies. There may be a time when such action is called for, but it is this body that needs to make that decision, the United States Senate and this body.

Iran is a dangerous enemy of freedom and a sponsor of terror. It continues to harbor ambitions of dominance over its neighbors and to call for the destruction of Israel. This Iranian regime is no friend and must not be trusted.

Iran must never be allowed to acquire a nuclear weapon. I believe this Congress would vote to ensure that that was prohibited. This resolution makes those facts clear. We must have a sound, long-term strategy to deal with Iran and bring it into compliance with international laws and norms.

The threat of military force must continue to be a part of any strategy, along with sanctions and diplomacy, and this resolution in no way contravenes that premise.

The best way forward is for Congress and the administration to work together. That is what our Founders had in mind. Proper congressional oversight and involvement will help ensure, not undermine, that the administration adopts and pursues the best possible strategy to check and oppose Iran's malign ambitions.

Let us not demagogue one another. There can be differences. This resolution is brought to this floor of the House to uphold the Constitution of the United States of America and to again urge this President, as we have urged Democratic Presidents, to ensure that they follow the strictures of our Constitution on behalf of the safety of our people and the respect we have throughout the world.

We are a nation of laws. This resolution is about the laws.

Mr. McCAUL. Mr. Speaker, I have great respect for the leader, and I do

not disagree with him that the President needs to come to Congress to authorize war with Iran, but that is not what we are looking at here today.

We do not currently have troops engaged in hostility in Iran subject to withdrawal under the War Powers Resolution. However, if the administration were to strike Iran directly, in my opinion, they would need to submit a war powers notification, and they would need to proceed with an authorized use of military force.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SPANO).

Mr. SPANO. Mr. Speaker, I thank Ranking Member McCAUL for yielding.

I oppose this resolution. The Speaker claims it is a necessary response to President Trump's "disproportionate" attack on "high-level Iranian military officials." Disproportionate?

Apparently, Democrats have forgotten who Qasem Soleimani was, one of the worst perpetrators of terror in recent history. He led the organization that founded Hezbollah, one of the most violent terrorist groups opposing Israel. He directed his groups to kill over 600 American servicemembers in Iraq and wounded thousands more. He led a brutal attack on peaceful protestors recently in Iran, killing over 1,000 Iranians.

A bully will not stand down unless he knows you are willing to stand toe-to-toe with him, unless he knows there are consequences to his actions. President Trump acted decisively in bringing down this brutal, inhumane bully, this terrorist mastermind, to stop an imminent threat. It was necessary to show Iran we will no longer tolerate their aggression.

We should be united in our support for eliminating this threat and in supporting the President's efforts to negotiate a new, more effective Iran deal.

I urge my colleagues to oppose this resolution so that all options are on the table and so that we can negotiate from a position of strength toward achieving a peaceful solution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this concurrent resolution, which requires President Trump to immediately terminate military operations against Iran. It is about time that Congress exercised its war powers authority under the Constitution. I believe this is long overdue.

The President has taken our Nation to the brink of war without properly consulting Congress or seeking the legal authority to do so. Only Congress can authorize military action under Article I of the Constitution.

To add insult to injury, the Trump administration has failed to fully explain to Congress and the American people what exactly the imminent threat was to the United States that required the strike that was undertaken. My constituents and people

across the country have been terrified about the prospect of a new war in the Middle East.

Now, let me be clear: No Member of Congress carries a brief for Soleimani or the Iranian Government.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. No President has unilateral authority to take our Nation to war without authorization from Congress. I urge my colleagues to vote "yes."

Mr. McCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BISHOP).

□ 1645

Mr. BISHOP of North Carolina. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, if it were but a matter of offering three cheers for the legislative branch, that would be fine, but this is dangerous and simply makes no sense.

If the majority wished to assert Congress' authority, as several have argued, it would not use a nonbinding resolution, but let me take the majority at its chosen words, as if binding.

The words of the resolution would literally prohibit the President from ordering the shoot-down of Iranian ballistic missiles inbound for Haifa or a surface-to-air missile locked onto a Ukrainian airliner.

And the resolution's chosen words, as Democrats argue them, would prevent the President from the strike on Soleimani itself even if devastating harm to American soldiers were imminent but Democrats second-guessed that judgment.

The language they have chosen is designed to debilitate the President from protecting Americans.

The intemperate words of the past week have cost many their credibility. Now Democrats' spite for President Trump has cost them their good judgment.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I voted against the 2002 AUMF. In coming to that very difficult decision, I learned an important lesson: that we must ask every administration that seeks to use military force how it will manage the consequences of its actions, even if those actions can be justified.

Has this administration done that? Unfortunately, I think the answer is no.

I will vote for this resolution today for the same reasons I had then: no overall strategy, no justification, and nobody in this administration can answer how it will respond to the aftermath.

By virtue of the power and the responsibility granted to us by the Constitution, we must ask those questions.

Let's take this opportunity to make diplomacy work. Let's stand together as a Congress to establish our authority. Let's stand together and vote against a new war without an end game.

Mr. McCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Mr. Speaker, Sergeant First Class Kurt Comeaux, Sergeant Christopher Babin, Sergeant Bradley Bergeron, Sergeant Huey Fassbender, Sergeant Armand Frickey, Sergeant Warren Murphy, Sergeant Craig Nelson, First Lieutenant Christopher Barnett, Private First Class Torey Dantzler, Private First Class James Lambert, Sergeant Taft Williams.

Mr. Speaker, I want to thank Ranking Member McCAUL, for giving me additional time to finish the list that I started earlier.

These are 44 young Americans from Louisiana who died by IEDs in the most active part of Iraq when Soleimani and his proxies were engaged. They designed, they built, and they implemented these IEDs; and in Louisiana alone, 44 young Americans gave their lives for the United States of America.

President Trump, he had the authority, he has the right, and, thankfully, he had the courage to terminate Soleimani and remove this cancer from this Earth.

Mr. Speaker, to my Democratic colleagues and friends, I say, if you can look these Gold Star families in the face and tell them that this was not a justified strike and that Soleimani needed to be removed from this Earth, then God have mercy on you.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MALINOWSKI), a valued member of the Foreign Affairs Committee.

Mr. MALINOWSKI. Mr. Speaker, we may be relieved that an impulsive act by President Trump has not immediately led to war with Iran, we may be relieved that an evil man is dead, but as that evil man wished, our troops have now been asked to leave Iraq, and if they stay, their ability to work with Iraqis to fight ISIS has been shot.

As he wished, the protest movement in Iran and Iraq that threatened the Iranian regime has been silenced.

As he wished, Iran is now breaking free of all restrictions on its nuclear program.

We are not safer today.

In this moment of danger, there is just one question that this resolution asks. It is not do you support what the President has already done, but should Congress play our constitutional role in deciding what happens next.

I support this resolution because passing it will protect us against going to war with a tweet, but it also ensures that, if we do go to war, which we may have to at some point, we will do so with the American people united, not

divided, as the Framers intended, as our national interest demands.

Mr. McCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CISNEROS).

Mr. CISNEROS. Mr. Speaker, I rise today in defense of our Constitution and express the urgent need of Congress to reestablish itself as an equal branch of government.

Our Founders explicitly laid out the roles and responsibilities of the legislative, executive, and judiciary branches, creating a necessary system of checks and balances, but today we find our democratic system in jeopardy.

In the past week, there has been an increasing concern about the United States going to war with Iran.

Let me be very clear: If and when the President decides to use military action, he must go through Congress first.

Article I, Section 8 of the Constitution gives Congress the power to declare war. Any attempt to undermine that power would be unsafe, unacceptable, and unconstitutional.

As a Navy veteran, I am constantly thinking of our brave servicemembers. It is why I take this constitutional responsibility seriously.

We cannot turn our backs to our principles, we cannot turn our backs to our values, and we cannot turn our backs to the Constitution.

I look forward to voting for the War Powers Resolution and taking Congress' power back.

Mr. McCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. HICE).

Mr. HICE of Georgia. Mr. Speaker, I thank the gentleman for yielding.

I rise in great frustration in opposition to this politically-motivated resolution. It is nothing but a blatant attempt to handcuff the President's ability to defend our citizens and our allies.

Just this morning, U.S. intelligence officials reported that they are now confident that Ukraine Airlines 752 was shot down by Iranian surface-to-air missiles, another 176 innocent lives lost.

The Islamic Republic of Iran has been hostile to our Nation for decades, and yet it has certainly escalated in the last several months with a campaign of antagonistic military action.

Have my Democratic colleagues forgotten about the shipping vessel sabotaged by naval mines last May and June, or the American drone shot down over international waters, or the British oil tanker seized by the Iranian Revolutionary Guard, or the Saudi oil facilities that were attacked?

And then when an American citizen was killed in an attack on Kirkuk Air Base in December and our Embassy in Iraq subsequently overrun, our President drew a line in the sand. Yet, after months of tremendous restraint, the President was determined that not one

more American life would be lost by this hostile Iranian regime, and I fully support the President in his actions.

I do agree with many of my colleagues that it is time for this body to have a serious conversation and to address the many issues inherent with operating under a 20-plus-year-old authorization for military force, but that should not be confused with the process that is taking place here with this resolution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCAUL. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Georgia.

Mr. HICE of Georgia. Mr. Speaker, this is nothing but an attempt by the majority in a 3-year-long process by their party to take any and every opportunity to undermine or embarrass this President. But be assured that this politically-motivated resolution nor any evil that comes our way will cause our President to hesitate when called upon to defend American lives.

I just say, God bless the President; God bless America.

Mr. ENGEL. Mr. Speaker, I would say to my friends on the other side of the aisle, please don't question our motives or patriotism and we won't question yours.

Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I rise in strong support of this resolution that reasserts congressional authority over going to war.

We know this: War is devastating for our troops, for their families, for families and children everywhere, for not just this generation but future generations to come, for our humanity. That is why our Framers gave this body the opportunity, the responsibility to have that discussion and declare war should it be needed.

In 2002, we rushed to war based on made-up claims of weapons of mass destruction, and the Iraq and Afghanistan wars took hundreds of thousands of lives, created millions of refugees, and cost us trillions of dollars.

Today, the President, without providing any raw intelligence to prove an imminent threat, has brought us to the brink of war with Iran. This resolution makes it clear that Congress has not authorized this war.

We also must repeal the 2002 AUMF and vote to withhold funds for this unauthorized war. It is time to reassert our authority.

Mr. McCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I rise today on behalf of #13DistrictStrong. This is a district that believes in leading with compassion. They believe in a full stop to endless violent wars that only result in loss of life and the destruction of lives forever changed.

For us, Mr. Speaker, it is important to protect our democracy and promote global peace. We must remove political motives and for-profit schemes from the decisionmaking process to go to war. If we don't, it would only lead to more warfare and death.

We cannot allow a process that is tainted, secretive, or encompasses lies to make that choice. We need a country that easily chooses peace for generations to come.

I proudly represent a district that believes in the rule of law. That is why I rise today as their voice in support of a War Powers Resolution that will give them a say in whether or not our country goes to war.

Mr. McCAUL. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. GREEN).

□ 1700

Mr. GREEN of Tennessee. Mr. Speaker, I rise in complete opposition to this resolution.

First, this is a nonbinding resolution. If you really wanted to exert some congressional decisionmaking, we would do a bill that goes before the President and gets signed or gets vetoed. This is purely theatrics.

None of these Democrat leaders stood up when President Obama violated the airspace of Pakistan to take out Osama bin Laden. Now, I am glad he did that, but there was no congressional authorization to go into Pakistan. At least here there is a congressional authorization for our forces to be on the ground and using military power.

The President has clear authority under Article II to act when our Nation and our military is at risk. The Chairman of the Joint Chiefs of Staff said: "The trigger for the drone strike that killed Soleimani was 'clear, unambiguous intelligence indicating a significant campaign of violence against the United States in the days, weeks, and months,' and that the administration would have been 'culpably negligent' if it didn't act"—General Mark Milley.

These people understand one thing, and it is strength. You will recall that when President Clinton pulled our forces out of Somalia after we got the black eye on Black Hawk Down, bin Laden cited that as proof that Americans run away, that they won't stand and fight.

I have been to combat three times in this region of the world, twice in Iraq and once in Afghanistan. I have looked these individuals in the eye. It is strength that they understand. And, clearly, it has shown itself to be true again.

This President stood up, and Iran's response was clear. They had two audiences in their response:

At home, they wanted people to see strength. They shot 15 missiles. Back in their press, they are saying they killed Americans. They didn't, of course.

The other audience, the United States and the rest of the world, they

fired 16 missiles, all 16 missed. All 16 missiles missed.

Remember when they hit Saudi Arabia? All those missiles hit. They know how to hit their target. They fired 16 missiles against us and not one hit.

What is the message they are saying? Immediately after they fired them, they stood up and said: We are done. No more. That is the end of our response. They told the Shia militia groups to stand down. Muqtada al-Sadr said to his people today: Stand down.

They respond to strength, and our President did the right thing. He was a strong response, a strong response to storming a sovereign U.S. territory of an embassy with 6,000 people, killing American contractors, and wounding American soldiers with a rocket attack.

Mr. Speaker, this President made a strong response, and it has shown itself to work.

Mr. ENGEL. Mr. Speaker, I just can't really believe what I just heard.

It was the 2001 AUMF that specifically authorized our going after Osama bin Laden. He is the example of Congress getting involved. That was the authorization to get Osama bin Laden in Pakistan or anywhere else, and that is what we are trying to assure here, that things aren't just happening, that there is actual authority. Osama bin Laden is the wrong example, because we gave the authority to go after him.

Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL. Mr. Speaker, as the mother of a United States Marine war veteran, I came to Congress with the promise of never sending someone else's child to a war that could be avoided. This War Powers Resolution says no war with Iran without congressional approval, while still ensuring defense if there is an imminent threat.

While we do not mourn the death of Iran's commander of terror, Americans and our allies worry about the ramifications that will make us less safe: the fight against ISIS has been diverted; regional protests against the Iranian regime are now against America; Iranian proxies have been further incited; and Iran is closer to having a nuclear weapon.

America is not a monarchy. The decision to go to war requires debate, deliberation, and collective judgment. That is why the law gives the responsibility to Congress.

Mr. Speaker, I urge support of this resolution.

Mr. McCAUL. Mr. Speaker, at this point, I will continue to reserve until Chairman ENGEL is prepared to close.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank my friend, Mr. ENGEL, for yielding.

I am troubled by aspects of this debate. I think it is fine that we have different views, but to hear some on the other side characterize the position of

those who support this resolution as somehow not loving the country as much as they do when it is our country, as well, that we have pledged to defend—it is the same veterans on this side of the aisle who put themselves in harm's way as the veterans on the other side of the aisle. There is no distinction in the battlefield. We love our children and want to defend them as much as we know you do as well. So let's stop the demagoguery regarding patriotism.

This comes to a simple question. It is not even a question as to whether or not there was justification to take out Mr. Soleimani, because clearly there was. The question is: Who gives the justification? Who authorizes military action in this country?

We can all have our opinions.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield to the gentleman from Michigan an additional 15 seconds.

Mr. KILDEE. We ought to consult the Constitution, which clearly vests that authority in this Congress. We ought not fear that authority and outsource it to the executive branch. We ought to embrace that authority and be willing to make that decision and follow the Constitution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my good friend for yielding. Congress has long been absent without leave from its constitutional responsibility to authorize war before it occurs. From Vietnam to Iran, the verdict on the War Powers Act is clear: you lose it if you do not use it.

Congress chafes at outsized Presidential power, but has failed to exercise its own advice and consent power on war. Iran has stepped back for now from the brink of war, following the killing of General Soleimani, but a strong bipartisan 69 percent of the American people say that war with Iran is now more likely. No wonder, considering we just deployed 15,000 more troops to the region.

Trying to get answers after the fact, as Congress did in yesterday's briefing, yielded frustration, not answers. Unchecked executive power unbalances the safeguards against arbitrary power the Framers built into our Constitution.

With passage of today's resolution, we will reclaim that balance by reinserting Congress into decisions to go to war.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTCH), a very valued member of the Foreign Affairs Committee, the chairman of the Subcommittee on the Middle East, North Africa, and International Terrorism.

Mr. DEUTCH. Mr. Speaker, I rise in support of this War Powers Resolution, and I thank my colleague from Michigan, Representative SLOTKIN, for lead-

ing this effort today to assert Congress' rightful authority and to defend our solemn constitutional duty.

None of us want to see our brave men and women sent into another war.

To be clear, this vote is not about telling the administration that the President can't defend this country. My colleagues know that. They understand it. I strongly reject any implication that somehow, by supporting this resolution, we don't take our national security and the safety of our servicemembers seriously.

To the contrary, nothing we do today limits the ability to respond to a real and imminent threat or defend this country and our interests. To assert so is simply false and it is reckless.

Today, we are telling the President that, if there is a serious threat to the United States, our national security requires that a solemn decision is made to engage U.S. Forces, and the elected representatives of this body, of the American people, need to have that case made to them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield another 15 seconds to the gentleman from Florida.

Mr. DEUTCH. Mr. Speaker, Congress needs to have a robust debate about any authorization for the use of military force.

I urge my colleagues to vote "yes." I urge my colleagues to uphold the Constitution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, I take a backseat to no Member of this body when it comes to defending the President.

This resolution offers no criticism of the President, no critique. It doesn't criticize the President's attack on Soleimani. As a matter fact, this resolution doesn't even say Soleimani's name in it. Yet it does articulate our very robust basis for self-defense, at times even preemptory self-defense to defend our troops. And it also articulates our nondelegable duty as the Members of the United States Congress to speak to matters of war and peace.

I represent more troops than any other Member of this body. I buried one of them earlier today at Arlington, and that sergeant died a patriot and a hero.

If the members of our armed services have the courage to go and fight and die in these wars, as Congress, we ought to have the courage to vote for them or against them. And I think it is ludicrous to suggest that we are impairing the troops from doing their job by not doing our job articulated in the Constitution to speak to these matters of war and peace.

I support the President. Killing Soleimani was the right decision, but engaging in another forever war in the Middle East would be the wrong decision, and that is why I am voting for this resolution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MOULTON).

Mr. MOULTON. Mr. Speaker, the system of checks and balances is broken. Last week's airstrike proves it.

After the strike, the administration produced a vague document that attempts justifying America's push to the brink of war.

Mr. Speaker, I fought in a war started by a President with false and trumped-up intelligence. We cannot let this President do the same.

Americans deserve to read the declassified report so they can judge for themselves whether the strike was worth the risk. They will find an administration shooting from the hip with no strategy to deal with Iran.

It is time for Congress to lead and exercise the authority the Founders gave us in Article I, Section 8 of the Constitution.

It is time to tell the President he cannot send our troops to war with Iran without a strategy and without the consent of their representatives.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BROWN).

Mr. BROWN of Maryland. Mr. Speaker, President Trump's strategy to counter Iran has failed. He has allowed Iran to restart its nuclear weapons program, disrupted our operations countering ISIS, continues to undermine our relationship with NATO allies, and has led America to the brink of a new and unnecessary war.

As someone who served in Iraq, I understand the costs of war, how our soldiers put their lives on the line, and the impact these decisions have on military families.

Our Founders entrusted Congress with the responsibility to declare war. Congress owes it to the American people and our men and women in uniform to carry out that responsibility.

It is time for Congress to declare that war with Iran is not in the best interest of the American people. It is time for Congress to repeal the 2002 AUMF and dramatically restrict the 2001 AUMF. And until we can do that, we must prevent the President from unilaterally committing the United States to another war in the Middle East.

Mr. MCCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I was sitting in my office watching this debate, and I began to wonder who it is that we are actually debating against or what it is that we are debating against.

I think back to the killing of Osama bin Laden when we stood together as the United States in saying this was the right thing to do at the right time because it would save lives; the only thing we regretted was that we didn't do it sooner when we had the chance to take him out, but we delayed because we weren't sure.

□ 1715

I have gone back and read what President Obama said and he said, "I made this decision on my own." Yet, today, we stand in the people's House, and we are worried more about the loss of an election in 2020 than the loss of American lives and the continued loss of lives around the world by one of the worst terrorists of all time.

We sit here and try to pretend this charade is what we are concerned about. But what we are really concerned about is giving too much power to this President. This is a President who acted boldly. This is a President who carried out a strike that was so precise, so strategic, nothing else was hurt except the car in which that terrorist was riding in.

Yet, we sit here today and say: Our problem in America isn't terrorists around the world. Our problem in America is that we have a President who is too damn strong. The rest of the world knows today that our enemies certainly do fear us, because they know there is a deterrent in the White House.

Our friends and allies know that America will always be there, will always be there if we say we are going to be there, and we will always stand up for the values that this country has always stood for.

To have this debate tonight and this resolution is not about securing America or making America safer. This is about taking powers away from the President of the United States. We can call this anything we want and say, not just this President but any President in the future.

My God, are you kidding me? Are you kidding me? This is the people's House and our biggest responsibility is protecting our American citizens, and we are having this debate tonight? Please, do not tell me this is about taking away the Authorization for the Use of Military Force. This is about taking away powers from the President.

Mr. ENGEL. Mr. Speaker, again, I think it would be helpful if peoples' motives or patriotism wasn't questioned.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Speaker, I rise today in strong support of the War Powers Resolution introduced by my colleague from Michigan, Congresswoman ELISSA SLOTKIN.

Soleimani was an evil man, a terrorist, a war criminal. No one should mourn his demise. But that doesn't change the question of who has the authority to take our Nation into war. It is Congress and only Congress that is endowed with the most solemn duty to decide if, when, and where to commit our Nation to war.

At the same time, as Commander in Chief, it is incumbent upon our President to ensure that the fine men and women who serve in our military are only sent into harm's way after careful

deliberation and tasked with missions that protect and further America's interests and reflect the values and high moral standing of our Nation.

Our country's Founders in their foresight provided us a robust and constitutional Republic and representative government. They wisely understood that taking a nation to war should not be a unilateral decision by a single person, but a considered decision by the people's elected Representatives.

This administration does not have congressional authorization for use of military force or a declaration of war against Iran. Ultimately, any sustained action against Iran requires congressional approval.

Today's resolution reflects the intentions of our Founders. It makes clear the President must seek authorization from Congress for any extended military engagement with Iran without restricting his ability to protect the Nation from imminent threat.

I have the honor of representing Naval Station Great Lakes where every enlisted sailor receives his or her basic training. I am the proud father of a son serving in our Navy. We owe it to these Americans, each one a volunteer answering the call to serve our country, to protect this Constitution and live up to the expectations of our Founders.

The American people do not want an unnecessary war with Iran. Today's resolution prevents President Trump from unilaterally or impulsively starting one. I urge my colleagues to vote "yes."

Mr. MCCAUL. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. GALLAGHER), a man who served on the battlefield in Iraq.

Mr. GALLAGHER. Mr. Speaker, actually, it takes a lot to get me to come down to these things, but I have been deeply troubled by some of the rhetoric I have been hearing about this. In fact, I was deeply troubled after yesterday when my colleagues, many of them, left a classified briefing only to immediately and recklessly trash the quality of intelligence they received, and in some cases, suggest there was no imminent threat from Soleimani.

To suggest that would require you to ignore the death of Americans recently in Iraq, as well as ignore the history of Soleimani's campaign of terror across the Middle East.

We learned this weekend, while this body was still in recess and before anyone had reviewed any of the classified information, that it was the intention of my colleagues on the other side of the aisle to introduce this flawed War Powers Resolution without having even seen any of the underlying intelligence. That suggests that this is not a serious effort.

The SPEAKER pro tempore (Mr. BROWN of Maryland). The time of the gentleman has expired.

Mr. MCCAUL. Mr. Speaker, I yield the gentleman from Wisconsin an additional 30 seconds.

Mr. GALLAGHER. Mr. Speaker, this is not a serious effort. This is a political effort that will have the practical effect only of undermining our military deterrent in the Middle East, which for the first time in a long time is actually stronger.

I think this does a service not only to our personnel in the region, but ultimately to the Iranian people. And what the Iranian regime fears more than anything else, more than the American military and the President of the United States, is its own people. And that is the reason Soleimani's death squads have gunned down Iranian civilians in the streets.

We look forward to the day when the Iranian people can be free of their evil, barbarous, reckless regime, and I applaud the administration's actions.

Mr. ENGEL. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 4 minutes remaining.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. CROW).

Mr. CROW. Mr. Speaker, our Founders vested in Congress the solemn responsibility of sending our sons and daughters to war.

I have often heard folks say that now is not the time to discuss the use of force or the decision to send our men and women to fight. I heard that in 2003 when I was carrying a rifle in Baghdad. I heard it again in 2004 and 2005 when I was leading my unit through the mountains of Afghanistan, and I am hearing it again today in the Halls of Congress.

In the last 19 years, more than 7,000 Americans have given their lives in these conflicts; 53,000 have been wounded; and we have spent over \$4 trillion of taxpayer money. Do not believe the fearmongering.

This resolution does nothing to prevent the President from protecting the Nation against imminent threats. I have spent years fighting to keep Americans safe and will continue to do so.

I may have laid down my rifle, but my oath to this country endures. I will fight to ensure that we are having a discussion about when to send our men and women, our sons and daughters, and our sisters and brothers into harm's way. It is time to have this debate.

Mr. MCCAUL. Mr. Speaker, at this point I continue to reserve the balance of my time until the chairman is prepared to close.

Mr. ENGEL. Mr. Speaker, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise today to condemn the President's most recent reckless actions. The killing of General Soleimani was a provocation to war that made Americans less safe for years and maybe decades to come.

The President has put his own ego over the strategic interests and safety

of Americans. What he has accomplished with these actions is to make Soleimani a martyr for a generation of militant Middle Eastern foes that we have.

It has united the Iranian people, not against their government, but against us.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield the gentleman from Tennessee an additional 30 seconds.

Mr. COHEN. Mr. Speaker, it is the responsibility of the President and Congress to keep us safe, and the Founding Fathers knew that the collective wisdom of the people's Representatives was better at doing that than one person.

I just visited the SCIF and there is still not any report on any imminent danger claim that might have been made. The American people and Congress deserve to know what the threat allegedly was, given the inevitability of Iranian retaliation.

The two greatest powers Congress has are impeachment and declarations of war. We are here today on both of those issues because of a reckless, lawless, and impetuous President.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. McCAUL. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS), a very distinguished gentleman on the Foreign Affairs Committee.

Mr. MEEKS. Mr. Speaker, the President should not be able to commit the U.S. recklessly and flagrantly to war. That is the reason there are constitutionally mandated checks and balances. The President escalated hostilities with Iran and did not demonstrate any imminent threat nor strategy as to why.

He clearly did not make our country safer. Quite the opposite. It is not a sign of strength as some of my colleagues suggest. It was an unchecked sign of more disarray and lack of strategic thinking.

We have seen what happens when we don't have a plan for what comes next when we take out a bad actor without thinking through long-term consequences.

We have lost too much blood and tears and treasure to ever allow that to happen again. I support, and implore my colleagues to support, this resolution for the sake and the state of future generations. I love this country. This is the greatest country in the world because we have checks and balances.

Mr. McCAUL. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I have just got a couple of words I would like to

remind this body about. I have heard a lot of talk about patriotism, and I gave this arm in Vietnam.

I have got a lot of good friends whose names are on the Vietnam Veterans Memorial Wall, so don't talk to me about patriotism, and how much I love this country when we are standing here debating an issue that we all know is not going anywhere.

The last thing I would say to you is, while I was serving in Vietnam, there were many occasions when I didn't have the ability to do what I thought was necessary. I just say to you that this body couldn't make up their mind whether they wanted to be in that war or not, and I suggest we get with the right program and do it now.

Mr. McCAUL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am strongly in favor of exercising our Article I authorities for matters as grave as war and peace, but the fact is, we are not at war with Iran. The President is not trying to start a war with Iran.

I met with the President earlier today. He told me that if this resolution passes, it will take all of his power to negotiate with Iran off the table. That is the worst thing that we could do.

Yesterday, he called for making a deal that allows for Iran to thrive and prosper. The President is making the choice to move toward deescalation.

The premise of this resolution is flawed because we are not engaged in hostilities with Iran. The President is not trying to start hostilities with Iran. Despite this public proclamation by our President, my colleagues are trying to claim that the President still wants to go to war.

I deeply regret that my colleagues are not serious enough about exercising our Article I authorities to pursue regular order on such a serious question. We have had no hearings in the House Foreign Affairs Committee since these events transpired. There was no Foreign Affairs Committee markup of this legislation.

I received the text of this legislation only 2 hours before the Rules Committee meeting last night on a War Powers Resolution. Debating issues of war and peace is perhaps our most important responsibility as Members of Congress, and, yet, this legislation dropped last night without committee consideration as required by the War Powers Resolution.

□ 1730

If my colleagues were as serious about Article I as they say they are, then this would be a joint resolution with the force of law. Instead, it is a House concurrent resolution that will never go to the President's desk. Let me translate what that means to the American people listening today.

Today, we are voting on a press release, a press statement. This is a political statement for a leftwing domestic audience. But they are not the only ones watching, Mr. Speaker.

Iran is watching, and its proxies are watching. What they see is a divided America that does not fully support the ability of our Commander in Chief to respond to imminent threats to Americans.

Churchill warned against appeasement when the dark clouds of fascism and the Third Reich swept in, in my father's war. Weakness invites aggression, he said. President Reagan said: "Peace through strength." I believe in these ideals and these axioms.

Last May, it was reported that Soleimani met with Iraqi militias in Baghdad and told them to "prepare for proxy war."

Without last week's strike, Soleimani would still be waging that proxy war, a war that he was escalating. An American was killed less than 2 weeks ago, and four American soldiers were injured. Our Embassy in Baghdad was attacked under Soleimani's orders.

What more do we need? What more evidence do we need?

Let's talk about the facts. He is a designated terrorist under the Obama administration. Importantly, the President told me today that Soleimani was planning to blow up our Embassy. I need no further proof, evidence, or intelligence than that from the President of the United States.

What if the President had not acted? Let's assume that. By the way, some on the other side of the aisle were criticizing him for not responding after our Embassy was attacked.

What if he did not act. What if Soleimani had made it back to Tehran to meet with the Ayatollah to give the green light to carry out the plot to attack our soldiers and diplomats in Iraq? What if the Americans were killed? What if they killed our soldiers and diplomats? What if they successfully stormed our American Embassy and held our marines and diplomats hostage, like they did in 1979 when this whole reign of terror started with Jimmy Carter in the White House?

How would the critics of the President respond then if we had done nothing? How would the American people respond? How would the Gold Star Mothers respond?

No, this President did the right thing to take out this threat that killed so many Americans. I have been to too many funerals, as many of us in this Chamber have, and many of those soldiers were killed at the bloody hands of Soleimani. As many Americans whose families still grieve today, we grieve for them.

Since 1979, Iran has presided over a reign of terror in the region. For over two decades, Soleimani has been the mastermind of terror, and the world is safer today without him.

Mr. Speaker, let me conclude by saying that now is not the time to divide this Nation and play into the propaganda of Iran. Now is not the time to tie our Commander in Chief's hands. Now is the time to support our men and women in uniform.

Mr. Speaker, I urge my colleagues to oppose this resolution, and I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself the remainder of my time to close.

Mr. Speaker, this body has to make a decision about whether we are going to stand up for our constitutional responsibilities or just subordinate ourselves to the executive branch when it comes to war powers.

We are two decades into the 21st century. Our country has been at war almost that entire time. Not a day goes by that I don't wish we could have some of those decisions back, especially because we see that those measures we passed in 2001 and 2002 are still being used to justify sending American men and women into harm's way.

We could stand here all day and say your side let this happen when you were in charge, or you didn't say anything when this President did that. I don't disagree that it has been a collective failure on the part of this body that we have given away our authority on war powers and that we haven't done enough to grapple with the issue.

I hope today will not be the end of our efforts to make progress on debating Congress' war powers. If the President thinks he needs to use military force, then he needs to come to Congress and make the case and let us vote on it. This is the beginning of Congress' taking back its authority.

Mr. Speaker, I urge my friends on both sides of the aisle to support this resolution, and I yield back the balance of my time.

Mr. PASCRELL. Truth matters, Mr. Speaker. Truth matters.

Truth is not Democratic or Republican. Truth is not partisan. It is the basis of any society that hopes to be and hopes to remain civilized. And so, when a faction decides that facts are flexible, that facts are whatever validates their preconceived notions and not what is, then that nation may as well close shop and turn out the lights.

The Trump administration's justification for military action against Iran has been inconsistent at best. Donald Trump's speech on January 8, 2020 was a pathetic spectacle. And the Congressional briefing was a sham, a cavalcade of falsehoods that has been denounced by Democrats and Republicans alike.

Any rational observer, any fair-minded person can see it. Certainly, my Republican colleagues know. Which is why some have turned to audacious, outrageous statements. I have heard them say that dissenting voices support terrorism simply for asking questions. That those of us who want to avoid war are traitors.

They have gone so far and have gone so low to blame President Obama for Iran's recent attack on U.S. forces. Going so far as to lie that Iran was given over \$150 billion after the Joint Comprehensive Plan of Action was signed.

These are scurrilous lies. Let me repeat that: these accusations are lies, told by desperate people. Told by people too cowardly to put their ambitions aside to lift a finger for truth. I'd say they should be ashamed of themselves, but they are clearly past shame. That ship has sailed.

In his opus, George Orwell observed that "The party told you to reject the evidence of your eyes and ears. It was their final, most essential command." That's an exact blueprint for these lies. Those propagating these lies may be at war with truth, but I'm not. I still believe in truth and in fact.

Here is the truth and the fact. The ham-fisted decisions of the Trump administration will not prevent Iran from getting nuclear weapons, but could hasten that outcome.

Here is the truth. War with Iran will not benefit us. War endangers our troops, leads to death and misery, and harms our allies.

Here is the fact. Americans do not want another damn war.

War powers belong to Congress, not the President, and it is our job here to defend our constitutional prerogative. And we did this by passing a war powers resolution.

I believe in truth. I do not believe in unnecessary war. And I stand with this House that today made a big statement for both. To correct the record of lies, I include in the RECORD this New York Times article "References in Address to 2013 Deal Had Holes" by Linda Qiu from January 9, 2020.

[From The New York Times, Jan. 8, 2020]

FACT CHECK—TRUMP'S INACCURATE STATEMENTS ABOUT THE CONFLICT WITH IRAN
(By Linda Qiu)

President Trump, responding during a White House address on Wednesday to the missile strikes by Iran, assailed the nuclear agreement reached by his predecessor and praised American military might. The 10-minute address contained numerous inaccuracies and claims that lacked evidence. Here's a fact check.

What Mr. Trump said:

"Iran's hostilities substantially increased after the foolish Iran nuclear deal was signed in 2013, and they were given \$150 billion, not to mention \$1.8 billion in cash."

This is misleading. The agreement reached by Iran, the United States and a number of other nations to constrain Tehran's nuclear program did not directly provide American money to Iran, but it did release about \$100 billion in previously frozen Iranian assets. Much of the amount was tied up by debt obligations, for example, \$20 billion to China for financing projects in Iran. Estimates for the actual amount available to Iran range from \$35 billion to \$65 billion.

A separate \$1.7 billion transfer of cash to Iran was to settle a decades-long dispute and was agreed to in negotiations that happened parallel to the nuclear deal. Before the 1979 revolution, Iran's shah had paid \$400 million for American military goods but, after he was overthrown, the equipment was never delivered. The clerics who seized control demanded the money back, but the United States refused. The additional \$1.3 billion is interest accumulated over 35 years.

Iran and other parties to the nuclear accord signed an interim agreement in 2013, but the formal agreement was not reached until 2015. The White House did not respond when asked for evidence of increased Iranian "hostilities."

It is worth noting that before Mr. Trump withdrew the United States from the nuclear agreement in 2018, his administration repeatedly certified that Iran was in compliance.

Afterward, as his so-called maximum-pressure campaign on Iran continued, tensions between the United States and Iran "escalated significantly," according to a recent Congressional Research Service report. Mr. Trump's claim blaming the nuclear accord for Iranian aggression rather than his with-

drawal from it is "almost an inverted reality," said Jim Walsh, a research associate at M.I.T.'s Security Studies Program and an expert on nuclear issues and the Middle East.

He said that attacks by the four groups supported by Iran and designated by some governments as terrorist organizations—Hezbollah, Hamas, Palestinian Islamic Jihad and the Popular Front for the Liberation of Palestine-General Command—actually declined after the nuclear deal.

Attacks carried out by these groups decreased from more than 80 in 2014 to six in 2017, before increasing to more than 40 in 2018, according to the Global Terrorism Database maintained by the University of Maryland's National Consortium for the Study of Terrorism and Responses to Terrorism. And while Iran has been a violent and destabilizing force across the region, Mr. Trump's assertion that Tehran had "created hell" lacked context in some cases.

Iranian aid to President Bashar al-Assad of Syria in that country's civil war and Tehran's backing of Houthi rebels in Yemen both predate the signing of the nuclear agreement, formally known as the Joint Comprehensive Plan of Action.

"There's nothing that Iran was doing after J.C.P.O.A. that it wasn't doing before," said Vali R. Nasr, a professor of Middle East studies at Johns Hopkins University and a State Department official in the Obama administration.

Calling Iran's backing of the Houthi rebels against the Saudi Arabia-aligned government in Yemen terrorism is "devaluing the word to the point where it's meaningless," said Anthony Cordesman, an expert on military affairs and the Middle East at the Center for Strategic and International Studies.

As for Iran's activities in Afghanistan and Iraq, Mr. Cordesman said, "they were more aggressive there because they were working to attack ISIS—as we were."

What Mr. Trump said:

"The missiles fired last night at us and our allies were paid for with the funds made available by the last administration."

This lacks evidence. The White House did not respond when asked to substantiate this claim, and experts noted there was no proof that Iranian assets unfrozen by the deal paid for the missiles.

"There's a certain fungibility here," Mr. Walsh said. If the Iranian foreign minister, Mohammad Javad Zarif, "took a dollar on the street, did that fund the missile attack?" he added. "That's not very useful from an analytical perspective. Nor is the case that giving them money caused them to attack the U.S."

"We have no indication," Mr. Cordesman said, "whether these missiles are funded by the money from the J.C.P.O.A."

The director of national intelligence's annual report on worldwide threats in 2019 did note that Iran continued to develop and improve military capabilities including ballistic missiles, but it did not tie those efforts to the nuclear deal. Furthermore, the annual reports warned of the same efforts in 2015, 2014, 2013, 2012 and before.

Critics of the Iran deal, including Mr. Trump, have long argued that it was inadequate because it did not address Iran's ability to develop ballistic missiles. Those restrictions have instead been established by the United Nations Security Council resolutions.

The diplomatic accord was an arms deal with a very narrow aim of curbing Iran's nuclear ambitions, "not a nonaggression pact, not a form of a friendship treaty," Mr. Nasr of Johns Hopkins said. "Whether there could have been more in the deal, of course. But piling in expectations is disingenuous."

What Mr. Trump said:

"The very defective J.C.P.O.A. expires shortly anyway and gives Iran a clear and quick path to nuclear breakout."

This is exaggerated. The major provisions limiting Iran's nuclear capabilities last a decade or longer. And the agreement increased the "breakout" period—the time it would take Iran to produce enough fuel for one weapon—to at least a year from an estimated two to three months. If the deal had been left in place and fully adhered to, Iran would not have been able to achieve nuclear breakout until 2030.

The agreement also prohibits Iran from pursuing nuclear weapons permanently. "Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapons," the first paragraph of the deal reads.

The American Israel Public Affairs Committee, a vocal critic of the deal, said it "largely expires after only 15 years." Under the deal's terms, Iran agreed not to use more than 5,060 centrifuges to enrich uranium—and not to pursue research and development on centrifuges—for 10 years. Limits on enrichment levels, facilities and stockpiles last for 15 years, according to a report from the Congressional Research Service.

Under the terms of the accord, Iran also agreed to convert a deep underground enrichment facility into a "technology center" that cannot contain nuclear material and where the number of centrifuges is limited for 15 years. Several provisions on plutonium, including forbidding the construction of new heavy water reactors, last for 15 years.

Inspectors are to monitor centrifuges and related infrastructure for 15 years, verify inventory for 20 years and monitor uranium mines for 25 years.

What Mr. Trump said:

"We are now the No. 1 producer of oil and natural gas anywhere in the world. We are independent, and we do not need Middle East oil."

This is misleading. The United States has been the largest producer of oil and gas in the world since 2013, a trend that began under the Obama administration thanks in large part to advances in shale drilling techniques.

The Energy Information Administration projected in January 2019 that the United States will produce more energy than it imports this year, the first time since 1950. But that is not the same thing as not importing oil from the Middle East at all. In 2018, the United States imported more than 1.5 million barrels a day from the Persian Gulf.

What was said:

"The American military has been completely rebuilt under my administration at a cost of \$2.5 trillion."

This is exaggerated. The \$2.5 trillion figure refers to the total defense budgets of the past four fiscal years: \$606 billion the 2017 fiscal year (which began before Mr. Trump took office), \$671 billion in 2018, \$685 billion in 2019 and \$718 billion in 2020. But the amount spent on procurement—buying and upgrading equipment—was about \$562 billion over that period.

Mr. Trump's use of the phrase "completely rebuilt" is somewhat subjective. Though the Trump administration has invested in operational readiness over the past few years, there are signs that the military continues to face substantial challenges in addressing an array of threats from around the world.

For example, the military earned a middling grade of "marginal" from the conservative Heritage Foundation's annual index of strength, based on factors like shortages in

personnel and aging equipment. The think tank noted that American forces are probably capable of meeting the demands of a single major regional conflict but "would be very hard-pressed to do more and certainly would be ill-equipped to handle two nearly simultaneous major regional contingencies." What was said:

"Three months ago, after destroying 100 percent of ISIS and its territorial caliphate, we killed the savage leader of ISIS, al-Baghdadi, who was responsible for so much death."

This is exaggerated. The Islamic State lost its final territories in March 2019, ending the physical "caliphate," but the terrorist group has not been destroyed. The recent confrontation with Iran has halted the United States' campaign against ISIS. Just this week, Defense Secretary Mark T. Esper and Gen. Mark A. Milley, the chairman of the Joint Chiefs of Staff, said that the fight against the group was continuing.

Mr. Trump alluded to the organization's endurance in his speech when he said: "ISIS is a natural enemy of Iran. The destruction of ISIS is good for Iran. And we should work together on this and other shared priorities."

Mr. SMITH of New Jersey. Mr. Speaker, according to ABC News, General Mark Milley, Chairman of the Joint Chiefs said that the "Dec. 27 attack on the Iraqi base near Kirkuk that killed a U.S. civilian contractor and wounded several U.S. and Iraqi forces . . . was designed and intended to kill, and [Soleimani] approved it. I know that 100 percent."

General Milley said that the trigger for the drone strike that killed Soleimani was "clear, unambiguous intelligence indicating a significant campaign of violence against the United States in the days, weeks, and months," and that the administration would have been "culpably negligent" if it didn't act.

Former Obama Homeland Security Secretary Jeh Johnson said on NBC's Meet the Press that "whether Soleimani was a terrorist or a general in a military force that was engaged in armed attacks against our people, he was a lawful military objective."

Mr. Speaker, Soleimani is responsible for killing over 600 Americans and disabling thousands more. He is directly responsible for massive death and injury of innocent civilians in the region. In the last two months alone, he orchestrated 11 attacks on U.S. troops in Iraq—killing an American contractor and wounding four soldiers—and for the attack on our embassy in Baghdad.

After yesterday's classified briefing by America's top diplomatic, military and intelligence leaders, I came away convinced that the action by President Trump was justified, proportionate and above all necessary to protect American lives.

That said, it is astonishing that the resolution under consideration by the House today has absolutely no legal power, is non-binding—and by design can neither be signed nor vetoed by the President.

Remarkably, the text of H. Con. Res. 83 also sends a mixed message. While purporting to "terminate the use of United States Armed Forces to engage in hostilities in or against Iran. . . ." the non-binding resolution goes on to say that such a prohibition is null and void if "such use of the Armed Forces is necessary and appropriate to defend against an imminent armed attack upon the United States, its territories or possessions, or its

Armed Forces, consistent with the requirement of the War Powers Resolution."

Imminent armed attack on our Armed Forces and diplomats is precisely the Trump Administration's justification for the drone strike against Soleimani.

According to the Council on Foreign Relations, no president used drone strikes more than President Obama who ordered 542 drone strikes killing an estimated 3,797 people including 324 civilians."

Mr. NADLER. Mr. Speaker, today, this body will vote to reaffirm the fact that Congress has the sole power to declare war, as laid out in the Constitution. After nearly two decades at war, President Trump has further risked the safety and security of America, our servicemembers, and our allies by escalating tensions with Iran to a dangerous new level. The Trump Administration's military airstrike targeting highlevel Iranian officials is just another example of President Trump undermining our national security by acting recklessly and without sound legal authority or reason. His rash decisions have made America less safe. War must always be our last recourse, and any escalation that brings our nation closer to a third disastrous war in the Middle East is unacceptable. The American people will not stand for it.

The War Powers Act exists as a safeguard against intensifying military actions that can accidentally lead to war. It ensures that a President will engage in a public conversation with the American people about the merits of war, before deploying their loved ones. The Trump Administration must now recognize Congress's authority as a coequal branch of government and request, as well as justify, authorization for any future military activity against Iran. Additionally, the Administration must work with Congress to ensure an immediate, effective deescalation strategy that prevents further violence.

While I am proud to support the War Powers Resolution, this must be the first of many steps to reassert Congress's responsibilities under Article 1 of the Constitution. I opposed the 2002 Iraq Authorization for the Use of Military Force (AUMF) and have worked for the last decade to repeal it, including most recently voting against the National Defense Authorization Act when it failed to include a House-passed repeal. I was pleased the Speaker announced plans for the House to pass Congresswoman BARBARA LEE's resolution to finally repeal the 2002 AUMF and Congressman RO KHANNA's legislation to prohibit funding for military action against Iran not authorized by Congress. I am proud to cosponsor both of these bills. We owe it to our military and civilian personnel, our allies, and every American to ensure that Congress upholds its constitutional authority to authorize the use of military force.

Ms. VELAZQUEZ. Mr. Speaker, this Administration's impulsive and reckless behavior has made our nation and the men and women of our armed forces less safe. It has heightened the risk of a conflict in the Middle East and it has jeopardized our relationship with our allies—both in the region and around the world.

We should remember—not long ago, many Members of this body voted to ratify the Joint Comprehensive Plan of Action or the Iran deal. That agreement was working, it was accepted by the world and, most of all, it was containing Iran from securing nuclear weapons.

President Trump and his Administration turned away from that agreement, setting off a chain reaction of events, which led to yesterday's attacks by Iran on American personnel who are serving in Iraq.

We should be clear—no one in this body—Democrat or Republican—will mourn the loss of Soleimani. He was a monster who was responsible for horrible atrocities. However, we also have to question whether the actions taken by this Administration in killing him made our nation, our servicemembers and our allies safer or less safe.

So where have the Trump Administration's policies brought us?

The government of Iraq is asking U.S. forces to leave. After thousands of American lives were lost and billions of dollars spent, our ally in the fight against ISIS appears to be moving toward expelling U.S. troops.

Iran has announced that it is resuming aggressive development of nuclear weapons. The people of Iran are coalescing behind their government, united in outrage from Soleimani's killing.

The United States government needs a comprehensive, well-considered strategy for Iran. That strategy needs to be explained to Congress—and more importantly to the American people. The rationale for killing Soleimani must be fully and publicly explained. I believe the American people—when they hear the evidence—will agree that this action was not necessary to prevent an imminent attack.

Most of all, we can no longer allow diplomacy and national security to be conducted through Twitter.

The Resolution we will vote on today would prevent the Administration from pursuing additional military action against Iran without properly consulting Congress.

We, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducting foreign policy in an irresponsible, impulsive manner.

The young people wearing our uniform abroad count on us to be better. We have a moral obligation to the millions of innocent civilians living in the Middle East who could perish or lose loved ones or their homes if a broader conflict erupts.

We must be better than this Administration has been. I urge my colleagues to support this Resolution.

Ms. JOHNSON of Texas. Mr. Speaker, when the President of the United States approved airstrikes targeting General Qassem Soleimani, he did so without the authorization of, or consultation by, the Congress. Americans stationed abroad are now categorically less safe than they were before the president took action.

Let me be clear, Mr. Speaker, no American will mourn the loss of General Soleimani—and nor should they. We are not here on the floor today to debate the merits of his assassination, but rather to address the failure of this Administration to adhere to the longstanding procedure of congressional consultation as mandated by the War Powers Resolution; specifically, the failure to properly and expeditiously articulate to the Congress any intelligence supporting the alleged threat which prompted this assassination.

The Administration's actions have already endangered the lives of many American servicemembers, diplomats, and foreign service officers. I fear that the path we are on

now, one lacking a coherent strategy moving forward, will only add to the instability of the region and lead to an extended conflict for which we are not prepared.

Mr. Speaker, this resolution simply reaffirms to the president and to the public Congress's role in authorizing the use of military force. As representatives of Americans from every corner of the country, we deserve to have our voices heard in a serious discussion on the implications of yet another conflict in the Middle East.

I plan to vote in favor of the resolution and would urge my colleagues to do the same.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 781, the previous question is ordered on the concurrent resolution, as amended.

The question is on adoption of the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ENGEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on adoption of H. Con. Res. 83 will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 5078.

The vote was taken by electronic device, and there were—yeas 224, nays 194, not voting 13, as follows:

[Roll No. 7]

YEAS—224

Adams	Dean	Kaptur
Aguilar	DeFazio	Keating
Alfred	DeGette	Kelly (IL)
Amash	DeLauro	Kennedy
Axne	DelBene	Khanna
Barragán	Delgado	Kildee
Bass	Demings	Kim
Beatty	DeSaulnier	Kim
Bera	Deutch	Krishnamoorthi
Beyer	Dingell	Kuster (NH)
Bishop (GA)	Doggett	Lamb
Blumenauer	Doyle, Michael	Langevin
Blunt Rochester	F.	Larsen (WA)
Bonamici	Engel	Larson (CT)
Boyle, Brendan	Escobar	Lawrence
F.	Eshoo	Lawson (FL)
Brown (MD)	Espallat	Lee (CA)
Brownley (CA)	Evans	Lee (NV)
Bustos	Finkenauer	Levin (CA)
Butterfield	Fletcher	Levin (MI)
Carbajal	Foster	Lewis
Cárdenas	Frankel	Lieu, Ted
Carson (IN)	Fudge	Lipinski
Cartwright	Gabbard	Loeb
Case	Gaetz	Lofgren
Casten (IL)	Galleo	Lowenthal
Castor (FL)	Garamendi	Lowey
Castro (TX)	Garcia (IL)	Luján
Chu, Judy	Garcia (TX)	Lynch
Cicilline	Golden	Malinowski
Cisneros	Gomez	Maloney,
Clark (MA)	Gonzalez (TX)	Carolyn B.
Clarke (NY)	Green, Al (TX)	Maloney, Sean
Clay	Grijalva	Massie
Cleaver	Haaland	Matsui
Clyburn	Harder (CA)	McBath
Cohen	Hastings	McCollum
Connolly	Hayes	McEachin
Cooper	Heck	McGovern
Correa	Higgins (NY)	McNerney
Costa	Himes	Meeks
Courtney	Horsford	Meng
Cox (CA)	Houlihan	Moore
Craig	Hoyer	Morelle
Crist	Huffman	Moulton
Crow	Jackson Lee	Mucarsel-Powell
Cuellar	Jayapal	Nadler
Davids (KS)	Jeffries	Napolitano
Davis (CA)	Johnson (GA)	Neal
Davis, Danny K.	Johnson (TX)	Neguse

Norcross	Ruppersberger
O'Halleran	Rush
Ocasio-Cortez	Ryan
Omar	Sánchez
Pallone	Sarbanes
Panetta	Scanlon
Pappas	Schakowsky
Pascarella	Schiff
Payne	Schneider
Pelosi	Schrader
Perlmutter	Schrier
Peters	Scott (VA)
Peterson	Scott, David
Phillips	Sewell (AL)
Pingree	Shalala
Pocan	Sherman
Porter	Sherrill
Pressley	Sires
Price (NC)	Slotkin
Quigley	Smith (WA)
Raskin	Soto
Rice (NY)	Spanberger
Richmond	Speier
Rooney (FL)	Stanton
Rouda	Stevens
Roybal-Allard	Suozzi
Ruiz	Swalwell (CA)

NAYS—194

Abraham	Graves (GA)	Olson
Aderholt	Graves (LA)	Palazzo
Allen	Graves (MO)	Palmer
Amodei	Green (TN)	Pence
Armstrong	Griffith	Perry
Arrington	Grothman	Posey
Babin	Guest	Ratcliffe
Bacon	Guthrie	Reed
Baird	Hagedorn	Reschenthaler
Balderson	Harris	Rice (SC)
Banks	Hartzler	Riggleman
Barr	Hern, Kevin	Roby
Bergman	Herrera Beutler	Rodgers (WA)
Biggs	Hice (GA)	Roe, David P.
Billirakis	Higgins (LA)	Rogers (AL)
Bishop (NC)	Hill (AR)	Rogers (KY)
Bishop (UT)	Holding	Rose (NY)
Bost	Hollingsworth	Rose, John W.
Brady	Horn, Kendra S.	Rouzer
Brindisi	Hudson	Roy
Brooks (AL)	Huizenga	Rutherford
Brooks (IN)	Hurd (TX)	Scalise
Buck	Johnson (LA)	Schweikert
Bucshon	Johnson (SD)	Scott, Austin
Budd	Jordan	Sensenbrenner
Burchett	Joyce (OH)	Shimkus
Burgess	Joyce (PA)	Smith (MO)
Byrne	Katko	Smith (NE)
Calvert	Keller	Smith (NJ)
Carter (GA)	Kelly (MS)	Smucker
Chabot	Kelly (PA)	Spano
Cheney	King (IA)	Staubert
Cline	King (NY)	Stefanik
Cloud	Kinzing	Steil
Cole	Kustoff (TN)	Steu
Collins (GA)	LaHood	Stewart
Comer	LaMalfa	Stivers
Conaway	Lamborn	Taylor
Cook	Latta	Thompson (PA)
Crenshaw	Lesko	Thornberry
Cunningham	Long	Timmons
Curtis	Lucas	Tipton
Davidson (OH)	Luetkemeyer	Turner
Davis, Rodney	Luria	Upton
DesJarlais	Marchant	Van Drew
Diaz-Balart	Marshall	Wagner
Duncan	Mast	Walberg
Dunn	McAdams	Walden
Emmer	McCarthy	Walorski
Estes	McCaul	Waltz
Ferguson	McClintock	Watkins
Fleischmann	McHenry	Weber (TX)
Flores	McKinley	Webster (FL)
Fortenberry	Meadows	Wenstrup
Fox (NC)	Meuser	Westerman
Fulcher	Miller	Williams
Gallagher	Mitchell	Wilson (SC)
Gianforte	Moolenaar	Wittman
Gibbs	Mooney (WV)	Womack
Gohmert	Mullin	Woodall
Gonzalez (OH)	Murphy (FL)	Wright
Gooden	Murphy (NC)	Yoho
Gosar	Newhouse	Young
Gottheimer	Norman	Zeldin
Granger	Nunes	

NOT VOTING—13

Buchanan	Fitzpatrick	Kind
Carter (TX)	Hunter	
Crawford	Johnson (OH)	

Kirkpatrick
LoudermilkSerrano
SimpsonTorres (CA)
WalkerHudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Long
Lowenthal
Lowe y
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marshall
Matsui
McAdams
McBath
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinleyMcNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Napolitano
Neal
Neguse
Newhouse
Norcross
O'Halleran
Ocasio-Cortez
Olson
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Pence
Perlmutter
Peters
Peterson
Phillips
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, DavidSensenbrenner
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small
(NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman
Schultz
Waters
Watkins
Watson Coleman
Welch
Wenstrup
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Zeldin

□ 1810

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Madam Speaker, I was absent today due to a medical emergency. Had I been present, I would have voted: "yea" on rollcall No. 5, "yea" on rollcall No. 6, "yea" on rollcall No. 7, and "yea" on rollcall No. 8.

PFAS ACTION ACT OF 2019

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 535.

The SPEAKER pro tempore (Ms. WILD). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 779 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 535.

The Chair appoints the gentleman from Michigan (Mr. KILDEE) to preside over the Committee of the Whole.

□ 1816

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 535) to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, with Mr. KILDEE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in the first section of House Resolution 779 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from New Jersey (Mr. PALLONE) and the gentleman from Illinois (Mr. SHIMKUS) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 535, the PFAS Action Act of 2019, is a comprehensive package of strategies to regulate PFAS chemicals, clean up contamination, and protect public health.

PFAS are an urgent threat to public health. They are toxic, persistent, and being found in the environment across

PRISON TO PROPRIETORSHIP ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5078) to amend the Small Business Act to provide re-entry entrepreneurship counseling and training services for incarcerated individuals, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 370, nays 41, not voting 19, as follows:

[Roll No. 8]

YEAS—370

Adams
Aderholt
Aguiar
Allred
Amodei
Armstrong
Arrington
Axne
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Bucshon
Budd
Burchett
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy

Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Díaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Dunn
Emmer
Engel
Escobar
Eshoo
Espallat

Estes
Evans
Ferguson
Finkenauer
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Fox (NC)
Frankel
Fudge
Fulcher
Gabbard
Gallagher
Gallego
Garamendi
García (IL)
García (TX)
Gianforte
Gibbs
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al (TX)
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Higgins (NY)
Hill (AR)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer

Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Long
Lowenthal
Lowe y
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marshall
Matsui
McAdams
McBath
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley

NAYS—41

Abraham
Allen
Amash
Babin
Biggs
Brooks (AL)
Burgess
Cline
Cloud
Comer
Duncan
Gaetz
Gohmert
Gooden

NOT VOTING—19

Granger
Grijalva
Hunter
Johnson (OH)
Kind
Kirkpatrick
Loudermilk

Palmer
Perry
Posey
Ratcliffe
Rice (SC)
Roy
Scalise
Weber (TX)
Webster (FL)
Westerman
Wright
Yoho
Young

Nadler
Pingree
Serrano
Simpson
Walker

the country. These “forever chemicals” have long been linked with adverse health effects, including cancer, immune system effects, infertility, impaired child development, high cholesterol, and thyroid disease.

Mr. Chairman, the EPA has known about these risks for decades and has allowed this contamination to spread.

Last year, EPA announced its PFAS Action Plan. It was woefully inadequate, and since that time, we have learned that EPA is not even keeping the weak commitments it made in that plan. The EPA failed to meet key end-of-the-year 2019 deadlines. It failed to produce a regulatory determination for drinking water. It failed to produce hazard determinations for chemicals under Superfund. It failed to initiate reporting under the Toxics Release Inventory.

The Trump administration is failing hundreds of impacted communities, and Congress must act for communities like Hoosick Falls, New York; Parchment, Michigan; Parkersburg, West Virginia; and far too many more.

We need to act on behalf of States like my own State of New Jersey that are doing everything they can—adopting protective State drinking water standards and pursuing natural resource damage cases—but facing strong opposition from Federal agencies under the Trump administration.

There have been over 500 detections of PFAS in drinking water and groundwater sources in New Jersey, and this is simply unacceptable, Mr. Chairman.

It is time for Congress to take action and use every tool available to stop the flow of PFAS pollution into our environment and our bodies. That is exactly what the PFAS Action Act does.

This bill requires EPA to immediately designate two PFAS chemicals as hazardous substances under Superfund, the two most studied of the PFAS chemicals. EPA committed to make this designation in their action plan last year but has failed to fulfill that promise.

The legislation requires that, over a 5-year period, EPA reviews all other PFAS chemicals and decide whether to list them under Superfund. During that 5 years, the bill will require comprehensive health testing of all PFAS chemicals.

This is a really important point. You may hear my colleagues talk today about the need to base decisions on science, and this bill will generate that science. The two chemicals will be regulated upfront because we already have the science on them. Other PFAS will be regulated if, over the next 5 years, the science concludes that they are hazardous.

The bill also includes a moratorium on any new PFAS during that same 5-year period. This will provide EPA the time it needs to ensure it has enough science to really evaluate new PFAS.

H.R. 535 also requires a drinking water standard that will cover at least the two chemicals and others at EPA's

discretion. Importantly, the drinking water standard will have to protect public health, including the health of vulnerable populations such as pregnant women, infants, and children. Because treating drinking water to remove PFAS is expensive, the bill includes grants for water utilities.

Mr. Chairman, this bill includes a voluntary PFAS-free label for cookware, which may be expanded through amendments to include additional categories of consumer products. This label will empower consumers to take steps to protect themselves from exposure to PFAS.

The bill requires guidance for first responders, to help them minimize their exposure to PFAS chemicals. This is important because PFAS is commonly found in firefighting foams.

Taken together, this is a serious, comprehensive, and reasonable bill that should garner strong bipartisan support. I urge my colleagues to support this bill.

I thank Chairman TONKO for all that he did to put this package together and, of course, the sponsor of the package, Mrs. DINGELL from Michigan, who has faced so many problems in your home State, Mr. Chairman, where Mrs. DINGELL is also very involved.

The bill includes a number of pieces of legislation before our committee by members of the Energy and Commerce Committee, as well as other Members of this body.

Mr. Chairman, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, January 6, 2020.

Hon. FRANK PALLONE,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I write concerning H.R. 535, the PFAS Action Act of 2019. There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 535, the Committee on Transportation and Infrastructure agrees to forgo action on the bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I also request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of H.R. 535 on the House floor.

Sincerely,

PETER A. DEFazio,
Chair.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 6, 2020.
Hon. PETER A. DEFazio,
Chairman, Committee on Transportation and
Infrastructure, Washington, DC.

DEAR CHAIRMAN DEFazio: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 535, the PFAS Action Act of 2019, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I agree that your Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within your jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees from your Committee to any House-Senate conference on this legislation.

I will place our letters on H.R. 535 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, many Members on both sides of the aisle have worked hard to understand and address the issues related to per- and polyfluorinated compounds. While I oppose H.R. 535 for both policy and practical reasons, I commend all of my colleagues who have been engaged on this issue.

Before I go into some of the more concerning aspects of this legislation, I think it is instructive to highlight a few facts.

PFAS is not just one or two chemicals. According to the EPA, this class of chemicals includes more than 5,000 different substances with different properties, applications, and risks. In fact, EPA's master list of PFAS on its website includes 7,866 derivations.

EPA does not have health effects data on the vast majority of PFAS. In fact, EPA recently announced scientifically valid methods—that means you are able to test to determine what it is—for just 29 of these 7,866. We don't have the capability even to understand if it is present because we don't have the capability even to identify them.

EPA has actively engaged in a PFAS action program involving many disciplines across the agency. I recently talked to the Administrator to urge him to move as quickly as possible with multiple action items and timelines.

Now, enter this bill, H.R. 535. This legislation requires aggressive regulatory responses to this diverse class of man-made chemicals without regard to science or risk. This is an unprecedented way of conducting science and flies in the face of decades of U.S. environmental policy. In fact, we have

never legislatively banned a chemical in all the years since the Superfund, back in 1980.

To my colleagues who love to preach science on climate change, I hear you, but you cannot walk away from the science debate when it doesn't support your policy position. Let me say that again. For my Democratic friends who love to preach science, you can't walk away from the science debate on this and walk away from the fact that we need a scientific study of this. They are trying to have it both ways.

I know many of my Democratic colleagues think this bill is essential because they don't trust the EPA run by this President. I understand that is your call. But I would also ask you to think about the mandates you are placing on the Environmental Protection Agency, which will far outlast this administration. They will legally hamstring future ones from facing issues other than PFAS, whether it is lead or climate.

I mentioned that science-based decisions that have supported EPA's work for years are being jettisoned, but that is just one feature. The more long-range trouble includes the automatic designation of PFOS and PFOA as hazardous substances under the Superfund, which is called the Comprehensive Environmental Response, Compensation, and Liability Act, CERCLA.

This designation may be warranted, but under this bill, it would come without knowledge of who is responsible, where PFAS contamination is, how serious it is, and without any public comment.

In fact, my colleagues think that putting it in the Superfund is going to solve this problem and that they are going to be able to clean it up right away. Well, I have a list here of Superfund sites. The Superfund was set up in 1980. We have a site here that is still a Superfund site back to 1983.

So those of you who think, put it in the Superfund, and it is all going to be cleaned up, good luck. If you have dealt with this issue, it is not going to happen, probably, in your lifetime.

Don't get me started on the perverse strict, joint and several, and retroactive liability to releases of hazardous substances, a trial lawyer's bonanza.

We know the majority understands this is an issue because the rule executed provisions relieving airports from Superfund liability. Plus, the bill requires EPA to review all 7,864 PFAS in 5 years to determine without public comment whether they present a substantial danger.

We can't do 29 in 20 years. How are we going to do 7,866 chemicals in 5 years? It just can't be done.

While a Superfund designation for just PFOS and PFOA may seem reasonable, the reality is section 15 of H.R. 535 deems all PFAS as hazardous air pollutants under Clean Air Act section 112(b). This automatically makes the entire PFAS class hazardous under the Superfund law.

As I mentioned, innocent parties like drinking water utilities that just treated what they got from their source water are hostage to endless liability for cleanup, regardless of their personal contribution. In fact, I would argue they didn't make any contribution. Why not exclude the water districts from Superfund liability if they are just passthroughs? No, we are taking care of the airports, but we are not protecting municipal water systems, co-op water systems, and other sources of drinking water, and we are going to put additional mandates and costs on them.

I know communities with PFAS pollution want it cleaned up quickly, but nothing, as I said before, with CERCLA is fast. It is always more expensive than you think, and the stigma of the designation scars a community's economy and dampens its future prospects.

Other significant problems with this legislation include section 4, which places a commercial moratorium on new PFAS chemicals for 5 years, even though Federal law already prevents any unsafe chemical from entering the market until EPA scientifically reviews it and determines its safety. This delays cleaner, greener, and safer chemicals from coming on the market.

Let me repeat this. Existing law bans and bars any new chemical or new use of an existing chemical from going to the market unless EPA signs off on that and it meets a tough safety standard. This bill places an arbitrary ban on top of that review. Next-generation heart valves, car brakes, solar panels, and military equipment all will be stopped from coming to market because of this.

□ 1830

Section 3 creates an unrealistic mandate on EPA to require all manufacturers and processor testing of PFAS. This requirement overlaps one that companies send all their existing PFAS information to the EPA by 2023.

Regardless, why even bother doing real science when you have already made a decision based on political science? More practically, does EPA even have the resources to keep up with such a demand? We could have asked them had they been invited to testify on this legislation.

These are not minor concerns. They sparked opposition, especially in the Senate, and are the reason why these items were not included in the National Defense Authorization Act. If this process is making good law instead of messaging, I would urge my colleagues to keep that in mind when voting. We can do better.

Mr. Chair, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the ranking member of the full committee.

Mr. WALDEN. Mr. Chairman, I want to thank Mr. SHIMKUS for yielding to me. He has really poured his heart and soul into this issue and has worked very hard on it, is so knowledgeable about it. And he is spot on.

Tragically, there is no science here. The EPA was not allowed to testify here. This is a solution that will never become law. It completely overreaches.

You are going to hear from some of our Members, including Dr. BUCSHON, who is a heart surgeon, about the impact this could have on new technologies and devices that get implanted into people's hearts.

You will hear about automobiles and aircraft that use these very specialized chemicals and materials in their manufacturing processes that probably have nothing to do with what we are trying to fix here.

You will hear, and it is true, that this is the first time we are going to throw science out the window and make a political decision.

So, Mr. Speaker, I must rise in opposition to H.R. 535, the PFAS Action Act of 2020, and urge my colleagues, sadly, to do the same.

We all want a solution to the country's PFAS challenges. And while there is more work to be done, I would say, thanks to Mr. SHIMKUS and others, Congress has already acted to provide some funding for reducing PFAS in drinking water in rural and economically distressed areas.

We require the Federal Government to enter into cooperative cleanup agreements for Federal facilities with PFAS contamination.

But we all know more needs to be done.

Unfortunately, my friends on the other side of the aisle have chosen to go partisan with H.R. 535, and that is not the way to go, it is not the solution.

This follows two plays Democrats insist on running ad nauseam: putting politics over progress and pushing legislation that will never become law.

This was the playbook they ran in December when, sadly, they walked away from progress in protecting public health that resulted in two major missed opportunities.

First, we had the chance to mandate that the EPA establish a drinking water standard for PFOA and PFOS within 2 years. We had that opportunity to get it into law.

Second, we could have ensured immediate and mandatory cleanup of PFOA and PFOS at all Department of Defense facilities. We could have put that into law. We were in agreement except for Democrats here, and as a result, they wouldn't take yes for an answer, and we lost those opportunities.

But back to H.R. 535. This measure is packed with bad policy and unfortunately, or fortunately, is dead on arrival in the Senate.

Sadly, it delays much needed action to enact science-based solutions that protect our constituents. So this hurts Americans, it leaves our communities vulnerable, and it did not have to be this way.

During the Energy and Commerce Committee's consideration of H.R. 535, we had a very robust debate on this

bill. Mr. SHIMKUS offered a package of proposals that had bipartisan Senate support, and those all could have become law; in other words, a three-quarters agreement of the committees of jurisdiction.

These proposals were not the way he or I would have crafted them on our own, but we were willing to compromise, we were willing to reach across the aisle, we were willing to reach across the chamber to the Senate, because we wanted to be part of the solution.

Sadly, we are here today with a bill that, frankly, reaches a new low.

Last month, we had a vehicle to make real, meaningful progress on drinking water standards and PFAS cleanup. We could have done more, but that progress was stopped and this bill was brought forward.

So, Mr. Chair, I want to help communities deal with PFAS concerns. I want to do it in a scientifically-based way.

It is important the actions we take are appropriately measured and justified and backed up by science. This package, though, is not a practical, science-based solution.

Mr. Chair, I urge a “no” vote.

Mr. PALLONE. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), our majority leader, and I want to thank him for prioritizing this PFAS package and making it one of the first things that we do in 2020.

Mr. HOYER. Mr. Chair, I thank the gentleman for his comments. Nobody has fought harder than Mr. PALLONE and Mr. TONKO to make sure that this legislation moves forward. And, of course, we worked very hard with the Senate to try to have these protections included in the Senate bill. Unfortunately, we didn't get there.

Mr. Chairman, while I am glad that Congress was able to take small steps to address the hazards of PFAS contamination through passage of the 2020 defense authorization bill last month, that action alone was not enough. That is why the House is taking further action this week.

These contaminants, known as forever chemicals, because they do not break down and can remain in the human body for many years, have been shown to raise one's risk of deadly cancers, reproductive and immune system disorders, and other health problems.

For decades, we have known that PFAS contamination is a problem.

According to the EPA, millions of Americans are exposed to unsafe levels of PFAS through their drinking water.

The Trump administration, under its own PFAS Action Plan, promised to establish a drinking water standard by the end of last year. Let me repeat that. The administration planned to have a standard by the end of last year. Unfortunately, that has not been accomplished. It has taken neither of the steps that it indicated it would, making this legislation very necessary.

That is why the House is considering PFAS legislation this week introduced

by Congresswoman DINGELL and Congressman UPTON, a bipartisan piece of legislation.

Mr. Chair, I want to congratulate Mrs. DINGELL for her continuing leadership on this issue. I also want to thank the others who have worked on this legislation, including the gentleman from New Hampshire, CHRIS PAPPAS.

The package of 12 bills was approved by the Energy and Commerce Committee in a bipartisan vote in November. Its provisions will, among others, establish a protective safe drinking water standard for PFAS contamination based upon science; improved testing of existing PFAS chemicals; limit the introduction of new ones; and provide for their safe disposal.

Most importantly, it will begin the process of helping clean up PFAS-contaminated sites under the Superfund program.

Critically important, particularly the sponsors are fighting contaminated sites in their own areas.

The Defense Department, which for years has used firefighting foam containing PFAS chemicals, has failed to clean up sites across the country that have contaminated the drinking water of countless Americans.

Why is that?

Because the EPA has failed to list these chemicals under the Superfund law, notwithstanding their toxic and adverse effects.

This legislation is a major action aimed at safeguarding public health and protecting Americans' access to clean and safe drinking water.

Mr. Chair, I want to thank Representative DINGELL for her leadership on this issue; her partner, FRED UPTON, the former chairman of the committee; Chairman PALLONE and subcommittee Chairman TONKO of the Energy and Commerce Committee, who have both done extraordinary work on this legislation.

Mr. Chair, I also want to thank Chairman DEFAZIO of the Transportation and Infrastructure Committee for his committee's efforts to address this issue as well.

Mr. Chair, I commend the 50 members of the bipartisan House PFAS Task Force—50 members, bipartisan—who have been working diligently on this issue for years.

Mr. Chair, I also commend Representative CHRIS PAPPAS and ANTONIO DELGADO from New York, who have both focused very much on this issue and believe this legislation is critical.

This legislation may be the first comprehensive PFAS bill brought to the House floor, but I doubt it will be the last.

Mr. Chair, I urge all of my colleagues to join in voting for this bill. I hope that the Senate will take it up without delay and send it to the President's desk for approval with the strong bipartisan support it deserves.

I might mention that I have had extensive conversations with a former

Member of this House, now the Senator from Delaware, TOM CARPER, who has been very focused on this. And the director of his committee, who used to work for me, Mary Frances Repko, who is one of the most knowledgeable people I know, she has talked to me about this legislation.

Mr. Chair, I want to thank the committee, I want to thank the sponsors who have worked so hard on this, and I am glad that we could bring this to the floor at the first opportunity.

Mr. SHIMKUS. Mr. Chairman, I yield as much time as he may consume to the gentleman from Indiana (Mr. BUCSHON), a cardiothoracic surgeon.

Mr. BUCSHON. Mr. Chairman, we all want to keep our communities safe from chemicals that can pose a threat to the health of our constituents. However, we need to get the solution right and not settle on a one-size-fits-all approach.

As currently written, the PFAS Action Act does not get it right, because it would impose Superfund liability under CERCLA on lifesaving and other medically beneficial products that have already undergone a rigorous approval process conducted by the U.S. Food and Drug Administration to ensure they are safe to use in medicine.

To designate these lifesaving devices as a hazardous substance is inappropriate and may cost American lives.

That is why I am disappointed that my amendment to exempt FDA-approved or -cleared products from liability under section 107 of CERCLA with respect to PFAS was not made in order.

As a physician, I have firsthand experience with lifesaving medical devices that include PFAS, such as vascular grafts, stent grafts, heart patches, catheter tubes, and more.

In fact, this medical device right here, which you see pictured behind me, is used to close what is called an atrial septal defect, a procedure used to close a hole in the heart. This product contains polytetrafluoroethylene, a PFAS.

As a surgeon, I used to have to perform open heart surgery, with weeks of recovery and rehab for patients after this procedure.

This device now allows it to be done sometimes as an outpatient.

This bill, as it stands, would deny Hoosiers and Americans the healing power of modern medical devices using PFAS, and instead, lead to costly litigation, which would increase the underlying costs of healthcare.

We must be careful before instituting a one-size-fits-all approach to PFAS.

Mr. Chair, for that reason, I urge my colleagues to oppose the legislation.

Mr. SHIMKUS. Will the gentleman yield for purposes of colloquy?

Mr. BUCSHON. I yield to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Just to clarify: one is that we are exempting airports from Superfund liability, but we are not exempting medical devices that are FDA approved in infants' bodies?

Mr. BUCSHON. That is my understanding. That is correct.

Mr. SHIMKUS. And that device that you have is a per- or polyfluorinated compound; is that correct?

Mr. BUCSHON. That is correct.

Mr. SHIMKUS. And it is FDA approved?

Mr. BUCSHON. That is correct.

Mr. SHIMKUS. And if it is toxic, which means it would be defined as harmful to a baby, why are we using it in a baby to fix the heart?

Mr. BUCSHON. Well, because it has not been shown to be toxic. It has been approved by the FDA and shown to be safe for patient use. And we might not be able to use them in the future if it is declared toxic.

Mr. SHIMKUS. Mr. Chair, I thank the cardiothoracic surgeon for yielding.

Mr. TONKO. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I want to respond to something I keep hearing from my Republican colleagues, which is the argument that we should abandon important proposals because the Senate simply will not accept them.

We cannot control the Senate, but we have the ability and the responsibility to pass strong legislation through this body and work as hard as we can to get it enacted.

I believe in the prerogative and power of the House of Representatives to do what is right, and so I can only hope that the Senate will follow our example.

Mr. Chair, I yield 5 minutes to the gentlewoman from Michigan (Mrs. DINGELL), a champion on this issue.

Mrs. DINGELL. Mr. Chairman, I thank the chairman for yielding and for his leadership, and Chairman PALLONE's leadership on all of these issues. I rise in strong support of H.R. 535.

Exactly 1 year ago, I introduced the PFAS Action Act, and have been joined by many of my colleagues in this effort in the last year.

□ 1845

I promised my constituents that we would take serious steps to address that issue, and that is what we are doing today.

Let us be very clear: PFAS is an urgent public health and environmental threat, and the number of contamination sites nationwide is growing at an alarming rate, including our military bases.

PFAS chemicals are everywhere. They are in our nonstick cookware; they are in food containers; they are in carpet, clothing, cosmetics, and fire-fighting foams, just to name a few.

PFAS is persistent. It accumulates in your body, and it is toxic. They are manmade, and they are known as a forever chemical. They don't break down in the environment; they don't break down in your body; and they don't break down in the wildlife.

Exposure to PFAS, even at low levels, poses significant health risks, and

we know that now. In a recent review, the CDC identified a number of health effects associated with PFAS exposure, including cancer, liver damage, decreased fertility, and an increased risk of asthma and thyroid disease.

Experts believe that as many as 99 percent—some people say 97. I have an official source that says 99. Who cares what that number is, because most Americans at that level have PFAS in their blood, and they don't even know it.

Michigan has been hit hard. It is ground zero for where PFAS has been identified. We have 74 sites, but only because, after Flint, we learned. We look and try to keep our citizens from being poisoned.

According to the Environmental Working Group, PFAS has been detected in the drinking water of more than 1400 communities across the country; and those drinking water systems serve 19 million people in this country, including 300 military installations that have been identified.

In my district, PFAS is in the water in the Huron River, and we can't eat the fish. I was at a townhall meeting and a man got up—he was older—and said to me: I used to eat that fish. I relied on it. When will I be able to eat it again?

I didn't want to say this to him, but the fact of the matter is probably not in his lifetime.

Most of these sites are not being cleaned up. And the number of sites is expected to grow across the country as more States do the testing they need to do to protect their citizens, to find PFAS.

But the most troubling thing is that the manufacturing companies know the danger of PFAS and even tracked it in the blood of their employees, while the EPA has completely abandoned its responsibility to act swiftly and comprehensively.

And our military is saying they don't have to clean it up. Why? Because it is not listed under CERCLA and because they are not required to do so.

Here is the reality. We are not cleaning up the contamination. We don't even have a protective drinking water standard.

And you talk about science, Governor Rick Snyder, a Republican, appointed a scientific community that said that the guideline—not a standard—isn't stringent enough to protect human life.

Now, EPA keeps coming and testifying before our committee, and they say they are going to do it soon, but I sure don't see them doing it.

Do you all realize that exposures to contaminated water, air, and soil that include PFAS and toxins kill more people than smoking, hunger, war, natural disaster, AIDS, and malaria together?

Did the Flint water crisis not teach us in this Congress and the country something?

Mr. Chair, I thank all of my colleagues who have worked on this issue.

When you know the facts, I don't understand how anybody could let American people be poisoned, and it is time for us to act.

Mr. SHIMKUS. Mr. Chair, I yield myself 1 minute to respond.

Mr. Chair, if all this whole class of 7,866 chemicals is so dangerous, why does FDA allow us to implant them in the hearts of infant children?

If this is so dangerous—there may be a couple that are bad, we are not disputing that, but the entire class?

If it is so bad, why does the FDA say it is okay for food packaging?

If it is so bad, why didn't my friends in the Obama administration, in that EPA ban it? Because they want to do the scientific analysis.

Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chair, I rise today in support of H.R. 535, the PFAS Action Act, sponsored by Congresswoman DINGELL and Congressman UPTON.

The EPA has acknowledged that PFAS chemical exposure can lead to adverse health effects for human beings, but it has been very slow to do anything about it.

PFAS chemicals present a clear and present danger to communities all over the United States. They are linked to cancer, can cause birth defects, disrupt thyroid hormones, and affect the immune system.

Beyond the military, where it is all over our bases, the chemicals can be found in food packaging, commercial household products, our workplaces, and our drinking water; and certain PFAS chemicals are so dangerous that they are no longer manufactured in the United States.

Mr. Chair, we need to pass this bill, as we have done once before.

Mr. TONKO. Mr. Chair, might I inquire of the time that is remaining for our side.

The CHAIR. The gentleman from New York has 18 minutes remaining. The gentleman from Illinois has 14½ minutes remaining.

Mr. TONKO. I yield 2 minutes to the gentleman from California (Mr. RUIZ.)

Mr. RUIZ. Mr. Chair, there was an excellent question posed by a nonphysician as to why it would be safe for a medical device to exist within the baby and approved by the FDA, and I think it is important to understand the physiology of what is the pathophysiology of these chemicals in the human body.

The danger with these chemicals is when they actually cross either the air-blood barrier or are deposited into tissue, whether they are ingested, inhaled in a specific form, that then gets deposited and accumulates over time.

When they are packaged in a specific device, they don't necessarily start to get absorbed or within a certain amount to prevent certain illnesses. But when you break them down into

chemical reactions to actually get deposited, then that is when you come up with illnesses.

That is why it is so dangerous, because in terms of the tissue, in terms of the route of ingestion, in terms of the different forms of the way it is accumulated, it can have dire effects.

Ninety-seven percent of Americans have or have had harmful PFAS chemicals in their bloodstream. They are known as forever chemicals because, once consumed, they take years and years and years to leave your body.

We eat these chemicals when our foods are stored in PFAS-containing packages. And, like I said, there is some leakage there. We drink them when they accumulate in our drinking water in their most basic form. And PFAS can also be passed along during pregnancy and breastfeeding when they are in their smallest form as well.

Even small levels of exposure to PFAS have been shown to harm people's immune systems.

Again, this is through the medical-scientific literature. The medical-scientific literature has shown that small levels of exposure to PFAS have shown harm to people's immune systems, increase their risk of certain types of cancer, and affect thyroid function.

The CHAIR. The time of the gentleman has expired.

Mr. TONKO. I yield the gentleman an additional 30 seconds.

Mr. RUIZ. Even small levels of PFAS can be harmful to the public's health.

The PFAS Action Act of 2019 will help address this public health issue by establishing a maximum contaminant level for PFAS in drinking water, provide funds to help communities remove PFAS from their drinking water, and require continuing monitoring of PFAS. It also provides millions specifically for disadvantaged communities harmed by PFAS-affected water systems.

Having clean water to drink is a common good for everyone, not a privilege for the few.

I urge everybody to vote "yes."

Mr. SHIMKUS. Chair, I yield myself such time as I may consume.

Mr. Chair, on my time, I have a question for the gentleman from California (Mr. RUIZ). I have great respect for the doctor and his medical knowledge—just two questions.

One, if the medical device has been made, right, and then there is a defect, so they throw it away, and if we have labeled that as a toxic chemical, then that chemical in the municipal waste now becomes a Superfund site; right?

I yield to the gentleman from California.

Mr. RUIZ. I do not know the answer.

Mr. SHIMKUS. The answer is, under current law, H.R. 535, not amended, the answer is yes.

So why would they make it?

Mr. RUIZ. What I can answer is that PFAS can be harmful to one's health even though they may have a utility for a medical device.

Mr. SHIMKUS. No, I understand the physiology. I got that. I am just telling you the problem with this bill.

But the question is, the device, labeled as toxic, thrown in a municipal waste field would then become a Superfund site under current law.

And then I guess the other question I would ask the doctor is: There are 7,866 permutations of per- and polyfluorinated compounds. I would ask the doctor, which one is he referring to?

Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Chair, our constituents across America would be surprised to know that so many of these districts have been poisoned by a chemical they never even heard of, the PFOS and PFAS chemicals. But they would be even more shocked to know that the very cookware that they cook their meals to serve to their little kids and to their families contain that very poison. So why wouldn't we want to let them know, give them a heads-up?

And then, turning to Florida, we had a cancer cluster in Ocala, Florida, that hurt countless firefighters. If we are not here to protect little kids and firefighters, why are we here?

We don't need to wait for the Senate to tell us whether we can act or not. We need to act now, and that is why I am supporting this bill.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, H.R. 535 lists only PFOA and PFOS under Superfund and leaves decisions for all other PFAS to EPA. EPA has already committed to listing PFOA and PFOS under Superfund and has been working on the listing since 2018. The bill will speed up that listing, so that cleanup of existing contamination starts sooner, but does not change how Superfund will apply.

The two PFAS that will be listed under Superfund by this bill have already been phased out by industry under a voluntary EPA partnership more than a decade ago.

□ 1900

They are not being made in this country anymore. So no one producing airplane door seals or heart stents or any other product is using the chemicals listed under the bill. The FDA is not approving heart stents made of these chemicals.

Most of those products are actually made from PTFE, better known as Teflon. The companies who make and use PTFE believe it is not hazardous. If that is true, the testing regime in this bill will show it to be true. And if it is true, the EPA will not list it under Superfund.

The bill leaves the listing decision for PTFE and all other PFAS currently produced in this country to EPA. It gives the EPA 5 years to evaluate those chemicals and supplies them with the needed science.

This is a reasonable approach that will not regulate PFAS chemicals that are found to be nonhazardous and will take no immediate action on PFAS chemicals still being made.

I also want to note that FDA review and CERCLA listing are not inconsistent. FDA review looks at whether a product is safe and effective for specific uses. CERCLA focuses on whether a chemical is hazardous when released into the environment.

Many items that have important, even lifesaving uses, are not safe when dumped into the environment. And to be clear, the FDA is not recommending that healthy individuals implant PFAS into their bodies. The FDA is making a careful decision that someone in need of a heart stent is served by this device more than they are harmed.

Mr. Chair, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Chair, I thank Representative TONKO for yielding.

Article I, section 27 of the Pennsylvania Constitution, States: "The people have a right to clean air, to pure water."

Similar in spirit, the Environmental Protection Agency's website proclaims that: "The mission of EPA is to protect human health and the environment."

Unfortunately, EPA has taken only halting steps to deal with our PFAS water contamination challenge, despite its ongoing harm to human health. EPA's website describes those harms: "low infant birth weights, effects on the immune system, cancer . . . and thyroid hormone disruption."

I rise in support of H.R. 535 which will require EPA to mandate cleanup of contaminated sites, set air emission limits, and limit new PFAS chemicals in the marketplace;

Identify health risks by requiring comprehensive health testing, reporting and monitoring;

Require a national PFAS drinking water standard that creates clarity for States and municipalities;

Holds polluters accountable.

I am pleased to have worked on this public health issue and to see that part of my bill, H.R. 2600, included, which will require EPA to develop needed rules for safe PFAS disposal.

I rise in support of this bill.

Mr. SHIMKUS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, just a couple of points. Obviously, we have numerous problems with all of the sections of this bill.

The one that is also troubling is the 5-year ban, because under TSCA, which we worked on, passed in a bipartisan manner, no new chemicals can come to the market unless it is safe.

So what this bill does, is already label a per- or polyfluorinated compound that could be very lifesaving and helpful, it puts a scarlet letter on them beforehand and it doesn't allow it. Chemistry is the future, cleaner, greener, and it is the future for an EV world, super computing, you name it.

But we are banning per- and polyfluorinated compounds. Now remember, there are 7,866 different permutations of this. So where we accept the premise that there may be some that are terrible, we are not accepting the premise that they are all bad, and that is what this bill does.

I also want to highlight that Superfund designation is not salvation. Eielson Air Force base in Fairbanks, Alaska, went on the Superfund site November 21, 1989. It is still there after 30 years. So just think about the community now that has been stigmatized under a Superfund designation, and they are not going to be able to redevelop, retrain, rebuild, and grow the economy.

I have a whole list of these things from 30 years, 32 years, 30, 35 years ago. Most of us have dealt with Superfund sites in our district. I have. They are no fun and they are not helpful, and it takes forever.

Talking about forever chemicals, we are talking about forever Superfund sites, and that is what you are signing up for in this debate.

Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, to the gentleman from New York, I would like to enter into a colloquy regarding creosote contamination in the 18th Congressional District.

I certainly rise to support enthusiastically H.R. 535. For decades the residents of the Fifth Ward and surrounding areas, residential areas in Houston, which is located on the northern side of my district, have long suspected that creosote was making them sick. They were exposed to creosote through soil and water contamination through a railroad yard.

Last April, during a community meeting I hosted for residents on the topic of creosote contamination, I requested a cancer study from the Texas Commission on Environmental Quality after person after person spoke about cancer and their relative dying.

The study found that three adult respiratory-system-related cancers occurred in that Fifth Ward and surrounding areas, including Kashmere Gardens. The cancers included, lung and bronchus, esophagus, and larynx. Toxic substances, such as creosote, should not be in common use where human activity is present, and it should not take decades for hazardous environmental concerns expressed by citizens to get addressed.

Mr. TONKA. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from New York for the purpose of a colloquy.

Mr. TONKO. Mr. Chair, creosote is listed as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act, CERCLA, for the purpose of

Superfund cleanup sites for the assignments of liability.

The CHAIR. The time of the gentlewoman has expired.

Mr. TONKO. Mr. Chair, I yield the gentlewoman from Texas an additional 1 minute.

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman for yielding.

Mr. TONKO. The mechanisms for reporting on potential toxicants should allow citizens ready access to information on what they can do to alert authorities to environmental threats.

Ms. JACKSON LEE. The communities like the Fifth Ward and surrounding areas in Houston can be invaluable to assisting agencies in identifying ways to improve on the information provided to the general public—they live it every day. These are life or death issues—on the means and methods available to citizens to report environmental concerns and how these products are used amongst the community for products that are very needed in the community, and have those concerns adequately addressed.

Mr. TONKO. The public is vital to the work of environmental protection, and I look forward to learning more about the residents of the Fifth Ward and surrounding communities, and the gentlewoman's efforts to address creosote contamination. And I thank the gentlewoman for bringing this to the attention of the committee and Members of Congress.

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman very much, and as I leave the floor, just want to take note of the contamination in the State of Texas and this is what we are fighting.

Mr. Chair, as a senior member of the House Committee on Homeland Security, I rise in strong support of H.R. 535, the PFAS Action Act of 2019, which will regulate in a comprehensive fashion Per- and poly- fluoroalkyl substances (referred to as PFAS).

I support the legislation because it also protects public health by containing provisions to clean up contaminated sites.

I have long held concerns regarding environmental justice issues that impact urban and rural communities who disproportionately face problems associated with contaminated water, soil, and air pollution.

My work to protect residents of the 18th Congressional District from harms caused by contaminants over the last year include: creosote ground water contamination and the opposition of permitting of a cement manufacturing facility near residential spaces in Fifth Ward Houston and Acres Homes respectively.

Through a series of major community meetings on environmental hazards I held last year I can attest that people are literally fighting for their lives and the lives of their children because of disparate conditions regarding managing containment and cleanup of an existing ground water creosote contamination site and the threat of cement dust contamination of a residential area if a State issued permit be allowed to stand.

Concerns about the health impact of creosote and other harms to human health have existed in Acres Homes and 5th Ward Houston for decades.

Because of recent actions on the part of the responsible party for containing the effects of creosote contamination of ground water, I called a community meeting including all relevant entities in April of 2019.

As an action item from that meeting I requested, that the Texas Commission on Environmental Quality arrange a cancer cluster study of the 5th Ward area of Houston that would be conducted by the Texas Department of State Health Services (DSHS).

The DSHS analyzed census tracts in Houston to determine the incidences of cancer.

The analysis examined cancers—specifically those associated with adults.

The study analyzed a half-dozen types of adults referencing cancers in the Texas Cancer Registry.

It concluded that “the numbers of esophagus, lung and bronchus and larynx cancers were statistically significantly greater than is expected based on cancer rates in Texas.”

The DSHS's work was incomplete—we do need more data.

This report, however, confirmed the fears of constituents in my district, as expressed at my April town hall meeting.

According to the report, incidences of cancer outside of normal probabilities has occurred in 5th Ward Houston.

Specifically, the DSHS analyzed the Texas Cancer Registry available from 2000 to 2016, as it relates to the affected areas, in which “[l]ung, bronchus esophagus, and larynx cancers were statistically significantly greater than expected.”

The report also found that the types of cancers which were identified in the study are consistent with those present in arsenic, which comprises creosote.

Given the findings of the DSHS report, and the impact this has on the health and wellbeing on my constituents in Kashmere Gardens, I will be working to address the need to place energy and effort to address community environmental concerns more effectively.

And there have been critical, tangible health consequences to the emergence of these cancer clusters for decades that went uninvestigated.

In my April community meeting and in December during a media event and tour, I heard stories that were stark in their nature, compelling and tragic on the incidence of illness and cancer that has plagued residents of 5th Ward.

Speaker after speaker at these community meetings spoke of the existence of the cancer, either in themselves or in their relatives.

It was startling.

One participant spoke of having a vegetable garden and concerns about whether it was safe to eat the food grown.

Another resident spoke of a recent diagnosis of cancer and the number of neighbors and family members who had contracted cancers over the years.

The open over 20 feet deep creosote dipping pit that abutted back yards of residents for decades was real.

The runoff from rain storms tainted with creosote that filled ditches with oily black and brown smelly residue happened.

The persistent smell of creosote near where they lived was constant.

A few weeks ago, I walked Lavender and Lily streets and engaged with residents who had thyroid cancer or lung cancer who shared

their stories with me in hopes that something can be done.

I remain concerned about the existence of cancer clusters in Houston's Fifth Ward.

The safety and well-being of the Kashmere Gardens Community and surrounding areas are my overriding concern.

My advocacy on this issue and on behalf of those identified in the city is longstanding and unwavering, and I will not relent until the community and its citizens have answers about the impact creosote has in the lives and health of my constituents.

This is why I am in strong support of H.R. 535.

This legislation addresses PFAS chemicals, which are an urgent public health threat because PFAS are persistent, bioaccumulative, and toxic, and communities across the country are discovering PFAS contamination in their air, land, and water.

Mr. Chair, PFAS are a class of man-made chemicals defined by the presence of fluorinated carbon atom, the strongest carbon bond possible.

Because of this bond, these chemicals are extremely persistent in the environment and are known to bioaccumulate in humans and wildlife, which is why they are called "forever chemicals."

PFAS have long been linked with adverse health effects including cancer, immune system effects, infertility, impaired child development, high cholesterol, and thyroid disease.

Contamination has been found across the country, much of it around industrial facilities and Department of Defense installations.

According to monitoring by the Environmental Protection Agency (EPA), millions of Americans are exposed to unsafe levels of PFAS through their drinking water.

Mr. Chair, it is urgent that this Congress enact this legislation because the U.S. Environmental Protection Administration and industry have failed to address known threats presented by PFAS chemicals.

EPA and industry have known about the risks from PFAS chemicals for decades but failed to act to prevent the spread of this contamination.

Industry studies showing adverse health effects as early as 1950 have now been made public.

EPA has recognized the risk of these chemicals since at least 1995, when the agency amended its polymer exemption to exclude new PFAS chemicals.

Despite that knowledge, EPA took no action on PFOA and PFOS until 2006, and then relied on a voluntary industry phase out instead of using the regulatory tools available.

EPA is continuing to allow new PFAS onto the market, some without any review under "low volume exemptions" to the Toxic Substances Control Act.

Last year, EPA issued a "PFAS Action Plan" that did not take needed action to address cleanup of contaminated sites, set limits on PFAS in drinking water, or even require reporting of PFAS releases.

In fact, the only commitments made in the action plan were to make some determinations by the end of 2019—commitments that were not met.

H.R. 535 will provide the protections impacted communities need quickly and for the long term.

The PFAS Action Act of 2019 would require EPA to use tools under several environmental statutes to:

1. Stem the flow of PFAS contamination into the environment by requiring cleanup of sites contaminated with PFOA and PFOS, setting air emission limits, prohibiting unsafe incineration of PFAS, and limiting the introduction of new PFAS chemicals into commerce;

2. Identify health risks by requiring comprehensive health testing for all PFAS, reporting of PFAS releases, and monitoring for PFAS in drinking water;

3. Limit human exposure to PFAS by requiring a drinking water standard for PFAS that protects public health, including the health of vulnerable subpopulations like pregnant women, infants, and children, and holding polluters accountable.

In addition, H.R. 535 provides grants to impacted water systems, creates a voluntary label for cookware that is PFAS free, and provides guidance for first responders to limit their exposures.

Mr. Chair, H.R. 535 addresses a critical threat to the public health and safety and that is why I support and urge my colleagues to join me.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, may I inquire again about time remaining.

The CHAIR. The gentleman from New York has 9½ minutes remaining. The gentleman from Illinois has 11½ minutes remaining.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentlewoman from Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Chair, I would like to commend the sponsor of this bill, my friend from Michigan, Congresswoman DINGELL. She is a true champion of clean air and water.

Families across my district are rightfully concerned about a chemical legacy that they and their children will bear unless we pass this bill. Sampling of wells is ongoing in the community of Devens, as well as its neighbor, the town of Ayer.

PFAS contamination was likely due, at least in part, to the firefighting foam used at the Fort Devens Army base over the past century. The town of Hudson has had to contend with its own PFAS issues, such as in its Cranberry Bog well.

The EPA has failed in its duty of care to the American people, so I urge my colleagues to protect public health and to pass H.R. 535, the PFAS Action Act. Clean drinking water is something to which everyone in this Nation is entitled.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chair, I thank the gentleman for yielding.

I rise in full, enthusiastic support for this legislation which is long overdue. For decades, chemical corporations like 3M and DuPont knowingly manufactured products containing forever-toxic chemicals known as PFAS.

Our Federal Government has confirmed that PFAS can adversely affect

growth and learning in children, lower a women's chance of getting pregnant, increase cholesterol, hinder the immune system, interfere with hormone regulation, and even increase the risk of cancer.

As a cancer survivor myself, and as chairwoman of the Appropriations Committee Military Construction, Veterans Affairs, and Related Agencies Subcommittee, I find it unconscionable that I have veterans coming to me to complain that their families are dying due to the Department of Defense's decades-long use of these chemicals.

As a member of the Oversight and Reform Committee, I have told 3M and DuPont to their faces that I don't know how they sleep at night. They poisoned our water and contaminated the bloodstream of millions of people all for profit.

It is past time that the Federal Government step up and do something about it, and we do that here today. I commend Congresswoman DINGELL for her work and so many of my colleagues who have fought so far and so long, including the chairman.

Mr. SHIMKUS. Mr. Chair, I continue to reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield 1 minute to the gentlewoman from Texas (Mrs. FLETCHER).

Mrs. FLETCHER. Mr. Chair, I rise in support of H.R. 535, the PFAS Action Act, a comprehensive bill to address PFAS contamination across the country. And I thank my colleagues for their commitment to bringing this bill to the floor.

Mr. Chair, I am glad that one of the bills I filed in this Congress, H.R. 2638, has now been included in this legislation. It directs the Environmental Protection Agency to issue guidance on minimizing the use of firefighting foam and other equipment that contains PFAS chemicals by firefighters and first responders.

Its purpose is simply to minimize the risk for our firefighters and first responders as well as for our environment. We know that these chemicals are dangerous for humans who have been exposed to them, and we know they are dangerous for our environment.

Unfortunately, we have seen the impacts in our community as recently as last year. During the ITC plant fire in Deer Park, Texas, in March 2019, firefighters used more than 130,000 gallons of foam to extinguish the massive flames in that fire. Not long after, high levels of PFAS chemicals were found in the water in the Houston Ship Channel and lower levels were found farther downstream, according to the Galveston Bay Foundation.

Our first responders risk their lives every day to protect our communities. We must do everything we can to protect theirs.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

I thank the House leadership for bringing forward this package today. I want to explain why it is critical that Members support this bill.

The health and the safety of communities across our great country are compromised by these dangerous chemicals. For their sake, let's not pretend that nibbling at the edges with the latest NDAA is enough to declare victory.

I have visited the communities and met the families who are dealing with the fallout from PFAS exposure and environmental contamination. They elected us to put their needs first, and they need more than half measures.

I appreciate my Republican colleagues' willingness to work on cleanup of Federal facilities, but that simply is not enough. I cannot in good conscience go home this weekend and tell the people of Rensselaer County: "We are cleaning up DOD sites, but we have no plan for the polluted industrial sites in Hoosick Falls, or any others like it around the country."

It just isn't right. We need to take action under Superfund and hold PFAS polluters responsible, regardless of whether they are public or private.

The bill also requires any national drinking water standard to, at a minimum, ensure vulnerable groups, including pregnant women, infants, and children, are protected.

I won't tolerate EPA adopting an unsafe standard, and I do hope Members with impacted communities won't either.

The bill includes other critical provisions to reduce PFAS exposure, empower consumers, and expedite cleanups. We have waited too long already for the administration to act. I fear we will keep waiting, or worse, deal with the consequences of unprotective actions.

Until we enact these provisions, we cannot say that Congress has done its job.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chair, I yield myself such time as I may consume.

As we went through the TSCA debate, one thing I learned was exposure over time of the hazard equals the risk.

□ 1915

Sometimes, we conflate a bad chemical as risk unless you can protect it from exposure. That is why I have been focusing on the 7,866 chemicals. That is why I am talking about the PFAS that might be in a hockey puck but not in the bloodstream.

But this bill says that everything is going to be labeled as a hazardous waste and followed up on Superfund. The contrary argument is: Great, put it in the Superfund. When will that get cleaned up?

If it is in Ellison Air Force Base, Alaska, 30 years, and it is still not cleaned up. Williams Air Force Base, Chandler, Arizona, 30 years, and it is

still not cleaned up. Castle Air Force Base, Merced, California, 32 years, and it is still not cleaned up. Dover Air Force Base, 30 years, and it is still not cleaned up. Central Landfill in Johnston, Rhode Island, 33 years, and it is still not cleaned up. Walsh Landfill, Honey Brook Township, Pennsylvania, Superfund site, 35 years, and it is still not cleaned up. Colbert, what we have is 35 years of litigation.

I like that red map that they are touting out here on this bill. That red map indicates trial lawyer action in all those States because most of the Superfund money goes to litigation.

Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Illinois has 10 minutes remaining.

Mr. SHIMKUS. Mr. Chairman, I also want to highlight what we have done. I think some people have alluded to it, that nothing was done, but a lot was done in the National Defense Authorization Act. A little bit more was done in the end-of-year spending bill. This Safe Drinking Water Act provision could have been in, and we all know it. That could have been in law today. But it wasn't, as leverage for this bill that we are talking about today.

In the NDAA, we require EPA to mandate that drinking water systems monitor for unregulated PFAS. That is law. In the NDAA, it is now law that we provide grants to communities to address emerging contaminants in drinking water, including PFAS.

Currently, in law, we require new reporting for PFAS under the Toxics Release Inventory program. Currently, under law, it is required that manufacturers and processors of PFAS submit health and safety information. It is now law.

Current law restricts new uses of long-chain PFAS. Now, what do I mean by long chain? That is when there are 7,866 different per- and polyfluorinated compounds. You have long-chain ones, and you have short-chain ones. We are banning the long chain, and again, we need scientific research, but this bans them all, whether or not they are safe.

EPA law now is guidance for appropriate destruction. Now currently under law, it requires the Federal Government to work expeditiously with States to enter in a binding cooperative agreement concerning cleanup.

Mr. Chairman, that is in respect to your State of Michigan. Michigan established its standard. The Department of Defense was hiding behind the fact that it couldn't negotiate. You guys were successful. Former Chairman UPTON was part of that fight. I applaud the State of Michigan for having that done, and now that is current law.

In the appropriations bill, which provided \$2 billion for the Clean Water and Drinking State Revolving Fund, \$20 million will go to State-level PFOS cleanup.

So as we hear this debate and as we go to the amendments, we are going to hear doom and gloom and that we are

negligent, that EPA is not doing anything, and that we are terrible people. In fact, at the end of last year, great strides were made, in a bipartisan manner. I applaud the NDAA. I applaud the end-of-year spending bill. And this, too, shall end.

I do want to highlight the fact that to ban 7,866 forms of per- and polyfluorinated compounds without doing science, that has never been done in the history of this Chamber and this body. It is more political science versus science.

We get it. We will move through this process. We will have our votes, and then this will be a fight for the next Congress because the Senate has said it is not going to support this bill. It is not going to bring it up. The President has already issued a veto threat.

It is a good exercise. I get to practice speaking on the floor with my friends in debate, which I look forward to as we bring up the amendments.

Mr. Chairman, I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Chair, I am proud to be a cosponsor of H.R. 535—The PFAS Action Act. This bill is a big step towards cleaner water for all Americans. It designates PFOA and PFOS as hazardous; these are two of the most prevalent substances that make up the group of substances known as PFAS. These 'forever' chemicals are known to pose serious health concerns that have affected many of my constituents throughout Bucks County along with Americans across our country. 99 percent of people have traces of PFAS in their blood.

One of my top PFAS priorities has been getting a federal Maximum Contaminant Level (MCL) for PFAS chemicals in our water. Most states do not have an MCL and ones that do, are not uniform. State residence should not be the defining factor for an American to have safe drinking water, having one universal MCL for PFOA and PFOS in the U.S. helps to solve this problem.

Currently there is no limit on how much PFAS pollution is in our water and air. This bill gives EPA the power to begin regulating this lethal pollution. It will jumpstart the cleanup effort and hold PFAS polluters accountable. It will require polluting companies to submit information to EPA, so that the Agency can more fully evaluate the environmental and health effects of these toxins.

Hundreds of PFAS chemicals are used in commercial goods and The PFAS Action Act will put in place a labeling system so that PFAS-free products can be easily identified by consumers.

I have seen firsthand the devastating health effects that PFAS substances cause in my community. The Department of Defense (DOD) used PFAS chemicals in its firefighting foam for decades at the Willow Grove base that contaminated the water and soil in Warminster, PA. Last month I supported a new Defense bill that became law which ends the practice of using that specific kind of firefighting foam by 2024. This bill goes further and will make people safer and less likely to consume these toxins.

Every American deserves access to clean drinking water and clean air. Most of us think only clean water comes out of our faucets

when we turn them on, unfortunately, this is a misconception. Until this bill is signed into law and is fully implemented, we cannot trust that our water is not contaminated with these toxic substances.

I urge my Republican colleagues to vote “yes” on this bill. A vote for this bill means that you care about safe drinking water for your constituents. EPA has promised to address PFAS, and this bill will ensure that they make substantial progress by setting firm deadlines.

I would like to thank Congresswoman DINGELL, Congressman UPTON along with Congressman KILDEE, who co-chairs the Bipartisan PFAS Taskforce with me, for their work in leading this important bill.

I also want to thank Joanne Stanton and Hope Grosse of the Buxmont Coalition for Clean Water along with many of the townships and municipalities throughout my district, they have fought for years for meaningful action to be taken on this issue, and while this bill is by no measure the finish line, it is a major milestone.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-45, modified by the amendment printed in part A of House Report 116-366, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “PFAS Action Act of 2019”.

(b) **TABLE OF CONTENTS.**—

- Sec. 1. Short title; table of contents.
- Sec. 2. Designation as hazardous substances.
- Sec. 3. Testing of perfluoroalkyl and polyfluoroalkyl substances.
- Sec. 4. Manufacturing and processing notices for perfluoroalkyl and polyfluoroalkyl substances.
- Sec. 5. National primary drinking water regulations for PFAS.
- Sec. 6. Enforcement.
- Sec. 7. Establishment of PFAS infrastructure grant program.
- Sec. 8. Listing of perfluoroalkyl and polyfluoroalkyl substances as hazardous air pollutants.
- Sec. 9. Prohibition on unsafe waste incineration of PFAS.
- Sec. 10. Label for PFAS-free products.
- Sec. 11. Guidance on minimizing the use of fire-fighting foam and other related equipment containing any PFAS.

SEC. 2. DESIGNATION AS HAZARDOUS SUBSTANCES.

(a) **DESIGNATION.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall designate perfluorooctanoic acid and its

salts, and perfluorooctanesulfonic acid and its salts, as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602(a)).

(b) **DEADLINE FOR ADDITIONAL DETERMINATIONS.**—Not later than 5 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall determine whether to designate all perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances designated pursuant to subsection (a), as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602(a)) individually or in groups.

(c) **AIRPORT SPONSORS.**—

(1) **IN GENERAL.**—No sponsor, including a sponsor of the civilian portion of a joint-use airport or a shared-use airport (as such terms are defined in section 139.5 of title 14, Code of Federal Regulations (or a successor regulation)), shall be liable under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for the costs of responding to, or damages resulting from, a release to the environment of a perfluoroalkyl or polyfluoroalkyl substance designated as a hazardous substance under section 102(a) of such Act that resulted from the use of aqueous film forming foam agent, if such use was—

(A) required by the Federal Aviation Administration for compliance with part 139 of title 14, Code of Federal Regulations; and

(B) carried out in accordance with Federal Aviation Administration standards and guidance on the use of such substance.

(2) **SPONSOR DEFINED.**—In this subsection, the term “sponsor” has the meaning given such term in section 47102 of title 49, United States Code.

SEC. 3. TESTING OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) **TESTING REQUIREMENTS.**—Section 4(a) of the Toxic Substances Control Act (15 U.S.C. 2603(a)) is amended by adding at the end the following:

“(A) **PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES RULE.**—

“(A) **RULE.**—Notwithstanding paragraphs (1) through (3), the Administrator shall, by rule, require that comprehensive toxicity testing be conducted on all chemical substances that are perfluoroalkyl or polyfluoroalkyl substances.

“(B) **REQUIREMENTS.**—In issuing a rule under subparagraph (A), the Administrator—

“(i) may establish categories of perfluoroalkyl and polyfluoroalkyl substances based on hazard characteristics or chemical properties;

“(ii) shall require the development of information relating to perfluoroalkyl and polyfluoroalkyl substances that the Administrator determines is likely to be useful in evaluating the hazard and risk posed by such substances in land, air, and water (including drinking water), as well as in products; and

“(iii) may allow for varied or tiered testing requirements based on hazard characteristics or chemical properties of perfluoroalkyl and polyfluoroalkyl substances or categories of perfluoroalkyl and polyfluoroalkyl substances.

“(C) **DEADLINES.**—The Administrator shall issue—

“(i) a proposed rule under subparagraph (A) not later than 6 months after the date of enactment of this paragraph; and

“(ii) a final rule under subparagraph (A) not later than 2 years after the date of enactment of this paragraph.”.

(b) **PERSONS SUBJECT TO RULE.**—Section 4(b)(3) of the Toxic Substances Control Act (15 U.S.C. 2603(b)(3)) is amended—

(1) in subparagraph (A), by striking “subparagraph (B) or (C)” and inserting “subparagraph (B), (C), or (D)”; and

(2) by adding at the end the following:

“(D) A rule under subsection (a)(5) shall require the development of information by any person who manufactures or processes, or intends to manufacture or process, a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance.”.

(c) **PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.**—Section 4 of the Toxic Substances Control Act (15 U.S.C. 2603) is amended by adding at the end the following:

“(i) **PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.**—

“(1) **TESTING REQUIREMENT RULE.**—

“(A) **PROTOCOLS AND METHODOLOGIES.**—In determining the protocols and methodologies to be included pursuant to subsection (b)(1) in a rule under subsection (a)(5), the Administrator shall allow for protocols and methodologies that test chemical substances that are perfluoroalkyl and polyfluoroalkyl substances as a class.

“(B) **PERIOD.**—In determining the period to be included pursuant to subsection (b)(1) in a rule under subsection (a)(5), the Administrator shall ensure that the period is as short as possible while allowing for completion of the required testing.

“(2) **EXEMPTIONS.**—In carrying out subsection (c) with respect to a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance, the Administrator—

“(A) may only determine under subsection (c)(2) that information would be duplicative if the chemical substance with respect to which the application for exemption is submitted is in the same category, as established under subsection (a)(5)(B)(i), as a chemical substance for which information has been submitted to the Administrator in accordance with a rule, order, or consent agreement under subsection (a) or for which information is being developed pursuant to such a rule, order, or consent agreement; and

“(B) shall publish a list of all such chemical substances for which an exemption under subsection (c) is granted.”.

SEC. 4. MANUFACTURING AND PROCESSING NOTICES FOR PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

Section 5 of the Toxic Substances Control Act (15 U.S.C. 2604) is amended—

(1) in subsection (h), by adding at the end the following:

“(7) This subsection does not apply to any chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance.”; and

(2) by adding at the end the following:

“(j) **PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.**—

“(1) **DETERMINATION.**—For a period of 5 years beginning on the date of enactment of this subsection, any chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance for which a notice is submitted under subsection (a) shall be deemed to have been determined by the Administrator to present an unreasonable risk of injury to health or the environment under paragraph (3)(A) of such subsection.

“(2) **ORDER.**—Notwithstanding subsection (a)(3)(A), for a chemical substance described in paragraph (1) of this subsection, the Administrator shall issue an order under subsection (f)(3) to prohibit the manufacture, processing, and distribution in commerce of such chemical substance.”.

SEC. 5. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 3009-1(b)) is amended by adding at the end the following:

“(16) **PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.**—

“(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall, after notice and opportunity for public comment, promulgate a national primary drinking water regulation for perfluoroalkyl and polyfluoroalkyl substances, which shall, at a minimum, include standards for—

“(i) perfluorooctanoic acid (commonly referred to as ‘PFOA’); and

“(ii) perfluorooctane sulfonic acid (commonly referred to as ‘PFOS’).”

“(B) ALTERNATIVE PROCEDURES.—

“(i) **IN GENERAL.**—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing procedure to ensure compliance with the national primary drinking water regulation promulgated under subparagraph (A) to measure the levels described in clause (ii) or other methods to detect and monitor perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method as an alternative to the quality control and testing procedure described in such national primary drinking water regulation by publishing the procedure or method in the Federal Register in accordance with section 1401(1)(D).

“(ii) **LEVELS DESCRIBED.**—The levels referred to in clause (i) are—

“(I) the level of a perfluoroalkyl or polyfluoroalkyl substance;

“(II) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

“(III) the total levels of organic fluorine.

“(C) **INCLUSIONS.**—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

“(i) the list of contaminants for consideration of regulation under paragraph (1)(B)(i), in accordance with such paragraph; and

“(ii) the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i), in accordance with such section.

“(D) **MONITORING.**—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under subparagraph (A) or subparagraph (G)(ii), the Administrator shall tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 1418(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

“(E) **HEALTH PROTECTION.**—The national primary drinking water regulation promulgated under subparagraph (A) shall be protective of the health of subpopulations at greater risk, as described in section 1458.

“(F) **HEALTH RISK REDUCTION AND COST ANALYSIS.**—In meeting the requirements of paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

“(G) **REGULATION OF ADDITIONAL SUBSTANCES.**—

“(i) **DETERMINATION.**—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under subparagraph (A) not later than 18 months after the later of—

“(I) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

“(II) the date on which—

“(aa) the Administrator has received the results of monitoring under section 1445(a)(2)(B)

for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; or

“(bb) the Administrator has received reliable water data or water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be of a quality sufficient to make a determination under paragraph (1)(A).

“(ii) **PRIMARY DRINKING WATER REGULATIONS.**—

“(I) **IN GENERAL.**—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under clause (i), the Administrator—

“(aa) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

“(bb) may publish the proposed national primary drinking water regulation described in item (aa) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

“(II) **DEADLINE.**—

“(aa) **IN GENERAL.**—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under clause (i)(I) and subject to item (bb), the Administrator shall take final action on the proposed national primary drinking water regulation.

“(bb) **EXTENSION.**—The Administrator, on publication of notice in the Federal Register, may extend the deadline under item (aa) by not more than 6 months.

“(H) **HEALTH ADVISORY.**—

“(i) **IN GENERAL.**—Subject to clause (ii), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not subject to a national primary drinking water regulation not later than 1 year after the later of—

“(I) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

“(II) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

“(ii) **WAIVER.**—The Administrator may waive the requirements of clause (i) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl and polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water with sufficient frequency to justify the publication of a health advisory, and publishes such determination, including the information and analysis used, and basis for, such determination, in the Federal Register.”

SEC. 6. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not impose financial penalties for the violation of a national primary drinking water regulation (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a national primary drinking water regu-

lation has been promulgated under section 1412(b)(16) of the Safe Drinking Water Act earlier than the date that is 5 years after the date on which the Administrator promulgates the national primary drinking water regulation.

SEC. 7. ESTABLISHMENT OF PFAS INFRASTRUCTURE GRANT PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following new section:

“SEC. 1459E. ASSISTANCE FOR COMMUNITY WATER SYSTEMS AFFECTED BY PFAS.

“(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this section, the Administrator shall establish a program to award grants to affected community water systems to pay for capital costs associated with the implementation of eligible treatment technologies.

“(b) **APPLICATIONS.**—

“(1) **GUIDANCE.**—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the form and timing for community water systems to apply for grants under this section.

“(2) **REQUIRED INFORMATION.**—The Administrator shall require a community water system applying for a grant under this section to submit—

“(A) information showing the presence of PFAS in water of the community water system; and

“(B) a certification that the treatment technology in use by the community water system at the time of application is not sufficient to remove all detectable amounts of PFAS.

“(c) **LIST OF ELIGIBLE TREATMENT TECHNOLOGIES.**—Not later than 150 days after the date of enactment of this section, and every two years thereafter, the Administrator shall publish a list of treatment technologies that the Administrator determines are effective at removing all detectable amounts of PFAS from drinking water.

“(d) **PRIORITY FOR FUNDING.**—In awarding grants under this section, the Administrator shall prioritize affected community water systems that—

“(1) serve a disadvantaged community;

“(2) will provide at least a 10-percent cost share for the cost of implementing an eligible treatment technology; or

“(3) demonstrate the capacity to maintain the eligible treatment technology to be implemented using the grant.

“(e) **NO INCREASED BONDING AUTHORITY.**—Amounts awarded to affected community water systems under this section may not be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.”

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section not more than \$100,000,000 for each of fiscal years 2020 through 2021.

“(g) **DEFINITIONS.**—In this section:

“(1) **AFFECTED COMMUNITY WATER SYSTEM.**—The term ‘affected community water system’ means a community water system that is affected by the presence of PFAS in the water in the community water system.

“(2) **DISADVANTAGED COMMUNITY.**—The term ‘disadvantaged community’ has the meaning given that term in section 1452.

“(3) **ELIGIBLE TREATMENT TECHNOLOGY.**—The term ‘eligible treatment technology’ means a treatment technology included on the list published under subsection (c).

“(4) **PFAS.**—The term ‘PFAS’ means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.”

SEC. 8. LISTING OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS HAZARDOUS AIR POLLUTANTS.

(a) **LISTING.**—Not later than 180 days after the date of enactment of this Act, the Administrator

of the Environmental Protection Agency shall issue a final rule adding as a class all perfluoroalkyl and polyfluoroalkyl substances with at least one fully fluorinated carbon atom to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)).

(b) **SOURCES CATEGORIES.**—Not later than 365 days after the final rule is issued pursuant to subsection (a), the Administrator of the Environmental Protection Agency shall revise the list under section 112(c)(1) of the Clean Air Act (42 U.S.C. 7412(c)(1)) to include categories and subcategories of major sources and area sources of perfluoroalkyl and polyfluoroalkyl substances listed pursuant to such final rule.

SEC. 9. PROHIBITION ON UNSAFE WASTE INCINERATION OF PFAS.

Section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) is amended by adding at the end the following new subsection:

“(z) **PFAS WASTES.**—

“(1) **FIREFIGHTING FOAM.**—Not later than 6 months after the date of enactment of this subsection, the Administrator shall promulgate regulations requiring that when materials containing perfluoroalkyl and polyfluoroalkyl substances or aqueous film forming foam are disposed—

“(A) all incineration is conducted in a manner that eliminates perfluoroalkyl and polyfluoroalkyl substances while also minimizing perfluoroalkyl and polyfluoroalkyl substances emitted into the air to the extent feasible;

“(B) all incineration is conducted in accordance with the requirements of the Clean Air Act, including controlling hydrogen fluoride;

“(C) any materials containing perfluoroalkyl and polyfluoroalkyl substances that are designated for disposal are stored in accordance with the requirement under part 264 of title 40, Code of Federal Regulations; and

“(D) all incineration is conducted at a facility that has been permitted to receive waste regulated under this subtitle.

“(2) **PENALTIES.**—For purposes of section 3008(d), a waste subject to a prohibition under this subsection shall be considered a hazardous waste identified or listed under this subtitle.”.

SEC. 10. LABEL FOR PFAS-FREE PRODUCTS

(a) **LABEL FOR PFAS-FREE PRODUCTS.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall—

(1) revise the Safer Choice Standard of the Safer Choice Program to identify the requirements for a pot, pan, or cooking utensil to meet in order to be labeled with a Safer Choice label, including a requirement that any such pot, pan, or cooking utensil does not contain any PFAS; or

(2) establish a voluntary label that is available to be used by any manufacturer of any pot, pan, or cooking utensil that the Administrator has reviewed and found does not contain any PFAS.

(b) **DEFINITION.**—In this section, the term “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

SEC. 11. GUIDANCE ON MINIMIZING THE USE OF FIREFIGHTING FOAM AND OTHER RELATED EQUIPMENT CONTAINING ANY PFAS.

(a) **GUIDANCE.**—Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the head of the U.S. Fire Administration and other relevant Federal departments or agencies, shall issue guidance on minimizing the use of firefighting foam and other related equipment containing any PFAS by firefighters, police officers, paramedics, emergency medical technicians, and other first responders, in order to minimize the risk to such firefighters, police officers, paramedics, emer-

gency medical technicians, and other first responders, and the environment, without jeopardizing firefighting efforts.

(b) **DEFINITION.**—In this section, the term “PFAS” means perfluorooctanoic acid, perfluorooctanesulfonic acid, and any other perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom that the Administrator of the Environmental Protection Agency determines is used in firefighting foam and other related equipment.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116-366. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WOODALL

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116-366.

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, line 7, insert “, Federal Aviation Administration,” after “U.S. Fire Administration”.

Page 47, line 8, insert “and representatives of State and local building and fire code enforcement jurisdictions” after “departments or agencies”.

Page 47, line 9, insert “, or contact with,” after “use of”.

The CHAIR. Pursuant to House Resolution 779, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Chairman, I introduced this amendment in partnership with my friend from California (Mr. DESAULNIER), with whom I serve on the Rules Committee and with whom I serve on the Transportation and Infrastructure Committee.

I have a poster here, Mr. Chairman, of what it looks like when the foam is released to prevent a fuel fire in an airport hangar. If you can't tell from where you are sitting, this is the tail of the airplane being lifted up above the foam.

As currently drafted, I certainly agree with the ranking member that this bill is much too expansive. But in this one limited case, it doesn't go far enough. Our building code enforcement agencies locally, our local fire codes, require that in order to have a hangar permitted, it must have these fire suppression systems.

But what we found in our research, Mr. Chairman, is that more often than not, these systems go off unintentionally. In fact, in the last 16 years, there have been 174 hangar foam releases like this one. Only 37 of those were in re-

sponse to an actual incident. The other 137 were accidental releases.

If we are concerned about these toxic chemicals, certainly having them available for a dire firefighting need but released accidentally, it advantages no one. In fact, even in the 37 incidents that were in response to a fire event, none of those were in response to the fuel fire event that the building code requires these systems be installed to suppress.

What my amendment does, Mr. Chairman, in partnership with Mr. DESAULNIER, is to say that when we are having these conversations about how to restrict the use of these foams, we need to have the FAA present in those conversations, and we need to have the local enforcement authorities for fire and building code safety present in those conversations to prevent these types of releases, again, that advantage no one.

It is an opportunity to take what is a very well-intended effort to reduce the use of these chemicals and reduce it even further.

Mr. Chairman, I reserve the balance of my time.

Mr. TONKO. Mr. Chairman, I claim the time in opposition to the amendment, although I do not intend to oppose the amendment.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bipartisan amendment builds on an important piece of this bill, the guidance for firefighters and other first responders to minimize their risk from PFAS chemicals. This provision was developed by Representative LIZZIE FLETCHER, and I thank her for her leadership on addressing this important concern.

Our first responders take enormous risks every day for the greater good. Cancer from occupational exposure should not be among those risks. Unfortunately, occupational-related cancers now account for 65 percent of the line-of-duty deaths for firefighters each year.

Last year, Pat Morrison of the International Association of Fire Fighters testified before my subcommittee on the impacts PFAS in firefighting gear have had on firefighters. This is the single largest health-related issue facing the firefighting profession.

I thank Representative FLETCHER for her work in protecting firefighters, and I also thank the gentlemen from Georgia and California for their efforts on this important topic.

Mr. Chairman, I urge my colleagues to support the Woodall-DeSaulnier amendment.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Chairman, I rise in strong support of the PFAS Action Act.

The facts are that the industry, the Pentagon, and the EPA knew that PFAS are hazardous to health, yet we did not do anything as a Congress until Representative DINGELL had the courage to lead this act to get a bipartisan group together. I salute Representative DINGELL for her leadership.

I am proud to have sponsored the PFAS waste incineration act. The marked-up bill is included in the package. The provision requires the EPA to ensure all incineration of PFAS waste is done properly.

I thank Chairman TONKO and Chairman PALLONE for their leadership on this issue and also the ranking members for at least their work on the incineration part of PFAS and making sure that the waste is marked "hazardous."

Mr. WOODALL. Madam Chair, may I ask how much time I have remaining.

The Acting CHAIR (Ms. JACKSON LEE). The gentleman from Georgia has 2½ minutes remaining.

Mr. WOODALL. Madam Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS), who is the ranking minority member.

Mr. SHIMKUS. Madam Chair, I, too, rise in support of this amendment.

It is my understanding this amends section 18 to ensure the FAA, State and local building code inspectors, and fire marshals are at the guidance-making table. I understand the officers believe this will result in a broader collaborative dialogue that includes the risks posed by the use of foam suppression systems in aviation hangars. That would be helpful. I understand that, in aircraft hangars, foam systems are not being used by first responders pursuant to Federal regulations.

I have one question for the sponsor of the amendment about his intent with regard to one item. Is this amendment intended to open a dialogue about human health impacts or standards, or personal protective equipment requirements, responses, protocols, or anything like that?

Mr. WOODALL. I thank the gentleman for his question. Absolutely not. What the amendment does is it has language, Madam Chair, that inserts the words "or contact with" to make that point that firefighters are not using the foam; they are responding after the foam has already been used.

As Mr. SHIMKUS knows, when they come in contact with the foam in the course of their duties, it is our intent to lower the probability of any release of toxic foam on airfields. As I said, most of these releases are accidental releases. By bringing the building code inspectors to the table, we believe that we can reduce all instances of release without opening the dialogue on the topics about which he inquired.

Mr. SHIMKUS. I thank my colleague for the explanation.

I also would highlight that under this bill, airports are exempt from the Superfund liability. It does pose a ques-

tion of who cleans up the composed contamination on airports if we are going to protect airports from the liability. I guess airports went out; other communities do not.

Mr. WOODALL. Madam Chair, I will close by saying we may disagree about, again, the breadth of the overall legislation, but as it comes to this individual line-item, we are talking primarily about accidental releases of a very important firefighting foam but one that we know we want to reduce the usage of, the bipartisan partnership that we have created with the support of the chairman and ranking member. I am grateful to them for their leadership and support.

Madam Chair, I yield back the balance of my time.

□ 1930

Mr. TONKO. Madam Chair, I remind everyone that PFOS/PFOA are dangerous contaminants that threaten individual lives and our communities, as our firefighters have pointed out, in various, various dimensions.

Madam Chair, I rise to support the amendment and the overall bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116-366.

Mr. BURGESS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, this amendment would strike section 2 of H.R. 535.

Section 2 of H.R. 535 requires the Environmental Protection Agency to designate the chemicals PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, also known as the Superfund, and to do this within 1 year of enactment, and requires a review of the entire PFAS chemical group within 5 years.

I believe this to be flawed for several reasons:

First and foremost, the Environmental Protection Agency is already undergoing a thorough examination of the chemicals known as PFAS. Section 2 circumvents the regulatory process and would deny any public notice, any public comment, or any scientific study before deeming PFOA and PFOS as hazardous chemicals under the Superfund.

Any substance designated as a hazardous substance under CERCLA attaches strict, joint and several, and retroactive liability conditions. If you had any stake in the production, any stake in the ownership or cleanup of such a substance, that party might be liable under the Superfund law. The public has a right to comment on the impacts of such an important measure.

Second, section 2 is simply impractical. In the 40 years since the passage of the Superfund bill, Congress has never specifically placed individual chemicals or chemical groups into statute as hazardous chemicals under this act.

In those 40 years, 800 chemicals have been added to this list through the regulatory process. The Environmental Protection Agency is currently aware of between 5,000 and possibly as many as 7,800 PFAS chemicals. The problem is we don't know how many exist. The EPA would not be able to properly evaluate the thousands of chemicals that make up the PFAS in only 5 years.

PFAS chemicals must be properly assessed with the best science possible. As currently written, section 2 of the legislation denies the EPA the ability to properly and thoroughly evaluate these chemicals and shuts out the public from commenting on the regulatory impacts, including the potential future development of safer PFAS chemicals.

Madam Chair, for these reasons, I urge support of the amendment, and I reserve the balance of my time.

Mr. TONKO. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, this amendment would strike the Superfund provision from this bill completely. It will significantly weaken this bill and leave hundreds of impacted communities in harm's way.

What does the Superfund provision in this bill do exactly? H.R. 535 lists only PFOA and PFOS under Superfund and leaves decisions for all other PFAS to EPA.

EPA has already committed to listing PFOA and PFOS under Superfund and has been working on the listings since 2018. So this bill does not prejudice EPA decisions. EPA has already made those decisions.

The bill will speed up that listing so that cleanup of existing contamination starts sooner, which is critical. It also sets up a reasonable deadline for EPA to make decisions on other PFAS chemicals under Superfund to speed up any additional needed cleanups.

Superfund cleanups are essential to public health, and for impacted communities, they can be the difference between health and sickness, between life and death.

The question before Members on this amendment is whether cleanups of PFOA and PFOS should start right away or whether impacted communities can continue to wait.

While EPA drags its feet, people in hundreds of impacted communities across the country will continue to be exposed and continue to be harmed. Pollution will spread from these sites into the environment, into sources of drinking water, and into our agricultural resources. And eventual cleanups will become harder and more costly.

Madam Chair, impacted communities cannot afford to wait. I urge my colleagues, therefore, to vote “no” on this amendment, and I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I yield 1 minute to the gentleman from Ohio (Mr. BALDERSON).

Mr. BALDERSON. Madam Chair, I thank the gentleman from Texas for yielding and for offering such an important amendment.

Madam Chair, I agree that section 2 of the underlying bill presents a grave problem.

PFAS were first used in the 1940s and continued to be used in a variety of everyday objects, including pizza boxes, food wrappers, nonstick cookware, stain-resistant furniture, water-resistant clothes, firefighters' protective suits, and medical devices.

I support this amendment because it would prevent so many important materials from being labeled as hazardous without the scientific proof to back it up. We should not label all 5,000 of these materials the same way.

Madam Chair, I urge a “yes” vote on the amendment.

Mr. BURGESS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, PFAS chemicals must be properly assessed with the best science possible. As currently written, section 2 of this legislation denies the EPA the ability to properly and thoroughly evaluate these chemicals. We are literally making the perfect the enemy of the good.

Madam Chair, I yield back the balance of my time.

Mr. TONKO. Madam Chair, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Madam Chair, I thank the gentleman from New York for yielding.

Madam Chair, I rise in strong opposition to the gentleman's amendment. Superfund is a landmark environmental law and an essential public health program that works.

There are contaminated sites all across this country that pose direct threats to human health and the environment because of pollutants like lead, mercury, PCBs, and asbestos. Superfund is the program that gets those sites cleaned up.

Superfund does not regulate the use of chemicals; it does not block the use of chemicals; and it does not assign liability for the use of chemicals. It only applies to the release of chemicals into the environment.

Some of my colleagues on the other side of the aisle have characterized

Superfund as a de facto ban. They say that the industry will so fear liability that they will abandon PFAS chemicals.

Experience shows that that simply is not true. There are hundreds of chemicals listed under Superfund that continue to be used in industrial and consumer products and by the Department of Defense. In fact, Superfund is designed to prevent releases of chemicals that are in continued use.

When a chemical is listed as a hazardous air pollutant under the Clean Air Act, EPA sets emission limits for that chemical that are implemented through permits. Facilities continue to use and emit those chemicals. At the same time, those chemicals are automatically listed under Superfund. The same is true under the Clean Water Act.

Madam Chair, the funny thing is that the two PFAS compounds covered by this bill, PFOA and PFOS, have already been phased out for more than a decade under a voluntary partnership between EPA and industry.

We have heard many concerns from my Republican friends about the specter of Superfund liability for different groups. These concerns are largely unfounded.

Drinking water utilities will handle PFOA and PFOS the same way they handle the hundreds of hazardous substances they currently remove from drinking water. The same will be true for wastewater utilities.

Farmers will continue to be able to use biosolids as fertilizer, just as they currently do, because Superfund already exempts fertilizer use. Manufacturers of airplane door seals and heart stents will be able to continue using the PFAS they currently use—all while impacted communities, like Michigan, will get the cleanup that they need.

The only change this bill makes in how Superfund operates is a limited exemption for federally required use of PFAS at airports. If this amendment were adopted, airports would lose that exemption. And if EPA eventually moves forward with listing PFOA and PFAS, as they have committed to do, EPA is not authorized to exempt airports. Only Congress can do that. So the airports need this amendment defeated, and they need this bill enacted.

A Superfund listing is an essential provision to accelerate PFAS cleanup nationwide. It is the foundation of the PFAS Action Act. By gutting it, we cripple our ability to serve and protect the American people responsibly.

Madam Chair, I join my colleague, the chairman of the Subcommittee on Environment and Climate Change, in urging a “no” vote on this amendment.

Mr. TONKO. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Chair is advised that amendment No. 3 will not be offered.

AMENDMENT NO. 4 OFFERED BY MR. HUDSON

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116-366.

Mr. HUDSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

SEC. 19. INVESTIGATION OF PREVENTION OF CONTAMINATION BY GENX.

The Administrator of the Environmental Protection Agency shall investigate methods and means to prevent contamination by GenX of surface waters, including source waters used for drinking water purposes.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from North Carolina (Mr. HUDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Madam Chair, I rise today to offer my first amendment to H.R. 535, the PFAS Action Act.

For the last several years, my constituents and neighboring communities in North Carolina have dealt with contamination from the PFAS chemical GenX. The company Chemours has been discharging this chemical into the air as well as the waters of the Cape Fear River, a common source of drinking water.

To put it simply, my constituents are scared. They are frustrated because this has been an ongoing issue, and they don't have enough information.

This is an issue that I have been working on for many years. I have demanded action by EPA, and I had the EPA come to Fayetteville and hear directly from our community.

At our community engagement event, hundreds of people attended, and many shared their concerns with the potential links between GenX and serious health problems.

I worked with our chairman to have an Energy and Commerce hearing, and we invited Emily Donovan, a founding member of Clean Cape Fear in North Carolina, to testify. Emily gave compelling testimony about her personal experiences and the many people who have “suffered from the trauma of cancer treatments, benign tumors, and terminal diagnosis.”

I have talked with many of my constituents, including one whose neighbor has cancer, and they don't know if it is connected to GenX. They can't get information about it, and they are worried about their own children.

This is about getting answers for our community. This is about making sure

my constituents are protected and the water we are drinking is safe.

Until I know the science behind GenX, until I know exactly what safe levels and unsafe levels of exposure are, until we can adequately clean up the exposure we have had in North Carolina, I am not going to be satisfied.

I have a letter here from Secretary Michael Regan of the North Carolina Department of Environmental Quality supporting this effort.

Madam Chair, I include that letter in the RECORD.

NORTH CAROLINA
ENVIRONMENTAL QUALITY,
Raleigh, NC, January 9, 2020.

Hon. RICHARD HUDSON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE HUDSON: As you know North Carolina has been at the forefront in dealing with the issue of emerging compounds. Because of the lack of guidance or action from the current U.S. Environmental Protection Agency (U.S. EPA), our state and others have taken the lead on the necessary investigations, scientific evaluations, remediation and enforcement actions for PFAS contamination caused by government and industrial uses.

It is clear that members of Congress, on both sides of the aisle, understand the urgent need to immediately address the contamination from PFAS chemicals, especially in North Carolina. The North Carolina Department of Environmental Quality appreciates the leadership you and the state's delegation are providing to advance the conversation surrounding PFAS and GenX as we continue in our mission to protect our state's water and air.

I look forward to continued dialogue with you and your colleagues to encourage the U.S. EPA to move more quickly to set PFAS health standards and protections. I hope that we can count on you and the entire delegation to push for much-needed resources and support to address current and future contamination and remediation needs involving these forever chemicals.

Sincerely,

MICHAEL S. REGAN,
Secretary, North Carolina
Department of Environmental Quality.

Mr. HUDSON. Madam Chair, while I understand it takes time to develop the scientific evidence to make these decisions, my neighbors are tired of waiting. We must act now.

My amendment adopts this common-sense approach and requires the EPA to investigate methods and means to prevent contamination by GenX of surface waters, including source waters used for drinking purposes. This will enable us to find the best ways possible to safeguard our waters both now and for future generations.

Madam Chair, I thank Chairman FALLONE, Ranking Member WALDEN, Chairman TONKO, Ranking Member SHIMKUS, and my good friend and colleague Mr. DAVID ROUZER all for working with me on this, and I urge the rest of my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

□ 1945

Mr. TONKO. Madam Chair, I claim the time in opposition, though I do not plan to oppose this amendment.

The Acting CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TONKO. Madam Chair, GenX is a group of PFAS chemicals that have been a particular concern for several communities. Last year, the Energy and Commerce Committee heard testimony from a member of one of those communities, Emily Donovan, of the group Clean Cape Fear.

Emily testified about the burden of disease in her community, including her husband's cancer, and the burden of having to educate and protect her community without the protections and resources of our Federal environmental laws.

Her group, Clean Cape Fear, had to seek donations to install drinking water treatment for the public schools of her town so that the children could have safe water to drink at school. That is just not right.

So I appreciate these North Carolina Members raising the issue of GenX to help Emily and other people impacted by GenX. I thank the gentlemen for their amendment, and I urge my colleagues to support this amendment and this bill.

Madam Chair, I reserve the balance of my time.

Mr. HUDSON. Madam Chair, I yield the balance of my time to the gentleman from Illinois (Mr. SHIMKUS), the ranking member of the committee.

Mr. SHIMKUS. Madam Chair, my colleague, Mr. HUDSON, has led the committee's efforts to address GenX on behalf of his constituents in North Carolina. He has pressed EPA to complete its human health toxicity assessment on GenX using science.

This amendment takes the next step to focus EPA on ways to keep people's drinking water safe under GenX. This is a prudent step to harness the technical expertise of the EPA to identify ways to reduce contamination of the substance, which will be useful in connection with EPA's other work and will aim to stop future problems like those in Cape Fear River. I applaud my colleague and friend for his work.

Mr. HUDSON. Madam Chair, I have no further speakers. I yield back the balance of my time.

Mr. TONKO. Madam Chair, I support the Hudson amendment, and I encourage my colleagues to do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. HUDSON

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116-366.

Mr. HUDSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, line 20, insert “, including the chemical GenX” after “carbon atom”.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from North Carolina (Mr. HUDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Madam Chair, I rise today to offer my second amendment to H.R. 535, the PFAS Action Act of 2019.

As I have just described, the chemical GenX has been a major concern for my constituents for years.

As I have already stated, my constituents are scared, and they don't know what the long-term health effects of being exposed to these chemicals will be.

Madam Chair, we cannot wait to begin the cleanup of drinking waters that have been affected by these chemicals. While this bill is far from perfect, I am encouraged that it does create a PFAS Infrastructure Grant Program to provide assistance to community water systems affected by PFAS.

My amendment would simply clarify that communities like mine that have been impacted by GenX are eligible for grants under this section. It would not affect the program in any way, other than providing clarity and relief to the people of North Carolina.

I know that we still have a lot of work to do to solve the PFAS issue. I am committed to working with all Members of Congress, Republicans and Democrats, as well as State and local leaders to make sure we are taking care of our communities. Everyone deserves clean water.

Today, we are taking a positive step, and I look forward to continuing to work on this issue. I would urge all of my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

Mr. TONKO. Madam Chair, I claim the time in opposition to the amendment, though I do not intend to oppose it.

The Acting CHAIR (Miss RICE of New York). Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TONKO. Madam Chair, this amendment explicitly includes GenX chemicals in the definition of PFAS covered by the legislation.

I want to be clear that GenX are PFAS chemicals and are already covered by this provision, regardless of whether this amendment is adopted.

I am happy to support, however, the amendment because we absolutely mean for this funding to be available to remove GenX from drinking water. But

no one should interpret this amendment as implying that GenX are not already covered within the definition of PFAS.

I also want to mention one important thing about GenX. We have heard a lot today about how PFOA and PFAS are dangerous, but that newer PFAS might be safer. I want to make certain that everyone understands, GenX is one of those supposedly safer alternatives. It is a set of short-chain PFAS that were developed to replace PFOA.

GenX is a great example of why we need the moratorium on new PFAS included in this bill, because if EPA had the needed science in hand when GenX was introduced, communities in North Carolina, and nationwide, might never have been impacted.

That is what we are trying to accomplish with this bill. We want to help the communities that have been impacted and head off future harmful pollution.

I thank the gentlemen for their amendment, and I urge my colleagues to support this amendment and this bill.

Madam Chair, I reserve the balance of my time.

Mr. HUDSON. Madam Chair, I just want to say thank you to Chairman TONKO for working with me on this very important issue.

Again, folks back home in North Carolina are very concerned, to put it mildly. And so to give them a little bit of clarity, a little bit of certainty that GenX is covered means a lot to folks back home, so I appreciate the gentleman working with me on this.

Madam Chair, I yield back the balance of my time.

Mr. TONKO. Madam Chair, I appreciate the kind words from the gentleman from North Carolina. I appreciate working with him. I encourage my colleagues to support the Hudson amendment, his second amendment, and I will do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. BALDERSON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 116-366.

Mr. BALDERSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

SEC. 19. EFFECTIVE DATE.

This Act and the amendments made by this Act shall not take effect until the date that the Administrator of the Environmental Protection Agency certifies that the Environmental Protection Agency has completed the actions described in the document titled "EPA's Per- and Polyfluoroalkyl Substances (PFAS) Action Plan" and dated February, 2019.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman

from Ohio (Mr. BALDERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. BALDERSON. Madam Chair, my amendment would require the EPA administrator to certify to Congress the agency has completed its own PFAS Action Plan before the underlying bill may be implemented.

My amendment acknowledges the concern for human health and the environment caused by drinking water contamination and enables the EPA, the appropriate regulatory agency, to improve the situation through careful science.

PFAS are synthetic chemicals used in a variety of products that have commercial, industrial, and military uses. These substances are often found in everyday objects and relied upon by Americans.

One of the most important uses is medical devices. PFAS materials are central components of many medical devices because they are bio-compatible, durable, and deemed safe for implantation when necessary.

PFAS, and, in fact, fluoropolymers, have lifesaving applications in medical devices, including heart patches and grafts, stents, and surgical mesh. They are found in catheters and other medical tubing and guide wires used in surgical patients and to treat thousands of diseases. These substances are even found in sterile coatings on hospital gowns, masks, and other tools needed to keep hospital settings sterile and fight infections.

In my district of Ohio 12, medical device producers make these critical products and contribute to improving patients' lives every day.

Clearly, not all PFAS are the same. To assert that all these 5,000-plus substances are hazardous in one move is not based on science and it is dangerous. That would call into question the already approved medical devices that are saving lives.

The better solution is to allow the EPA to do its work and look at each chemical on its own merits, rather than labeling the whole diverse class as hazardous.

I agree with the authors of this bill that we must be cautious with the use of chemicals and reduce their levels in our water supplies, but this cannot be done at the jeopardy of American patients.

That is why I am thrilled to learn about EPA's PFAS Action Plan, which the agency published last year in response to greater awareness of this issue and rising public health concerns. As part of this plan, the EPA works with Federal, State, and local partners to understand and act on known PFAS dangers.

The EPA plan is a comprehensive, cross-agency approach. It includes concrete steps to monitor, detect, and address PFAS contamination.

One major action worth noting that the EPA has already taken is the De-

cember 3 proposal to establish a maximum contaminant level. This important step toward public safety is currently under interagency review.

For the well-being of all Americans, we should support this plan's success.

Madam Chair, I reserve the balance of my time.

Mr. TONKO. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, I yield myself such time as I may consume.

This amendment would block implementation of the important public health protections in this bill until the EPA administrator certifies that its PFAS Action Plan is completed.

Let's be clear about something. This EPA is never going to complete that action plan. EPA has already failed to meet the weak deadlines it set for itself in that.

We were supposed to have a regulatory determination for PFOA and PFAS in drinking water. We do not. We were supposed to have designations of PFOA and PFAS under Superfund. In fact, in EPA's action plan they note that they started that activity in 2018. They haven't gotten it done.

We were supposed to have EPA action to require reporting of PFAS releases on the Toxics Release Inventory. We had to attach that to the NDAA to get it done.

And, by the way, Republicans supported taking that action on NDAA.

But even these specifics are giving this amendment too much credit. This is not a serious amendment because EPA's Action Plan is not designed to ever be completed. Many of the action items are characterized by the EPA itself as ongoing commitments.

Here is an example. EPA committed to holding responsible parties accountable for PFAS releases into the environment. That task is an ongoing commitment that can never be completed.

Evaluating new science, evaluating new PFAS, assessing new drinking water treatment technology, these are all things EPA will continue doing indefinitely.

In fact, one of the stated purposes of EPA's action plan is "preventing future contamination." When will EPA ever be done preventing future contamination?

So this amendment would actually block the important provisions in this bill from ever being implemented. It would harm public health and leave our communities worse off. I urge all of my colleagues to oppose this amendment.

Madam Chair, I yield back the balance of my time.

Mr. BALDERSON. Madam Chair, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. JOYCE).

Mr. JOYCE of Pennsylvania. Madam Chair, I thank the gentleman for yielding and for the opportunity to support this amendment to this deeply-flawed bill.

Madam Chair, I rise this evening in support of the Balderson amendment. H.R. 535 will have broad and significant impact on medical innovation and negatively impact patient outcomes.

PFAS materials have a variety of uses in healthcare, ranging from cardiac stents to the coating on contact lenses. Using innovative PFAS materials, surgeries such as those that were previously used to repair a child's congenital heart defect now no longer require risky, open heart surgery procedures and can simply be done as an outpatient with significantly less risks.

□ 2000

The EPA is already working on its own comprehensive PFAS Action Plan, and we must listen to science rather than regulating new devices and treatments out of existence.

Here is the bottom line: We cannot ignore the benefits that some PFAS chemicals have given to humankind.

Madam Chair, I strongly urge the adoption of the Balderson amendment.

Mr. BALDERSON. Madam Chair, the administration has demonstrated that one of its top priorities is the research and necessary regulation of PFAS. Its ongoing commitment to public safety is responsible. Congress should allow the EPA to complete its work before casting such a wide net on labeling 5,000-plus PFAS as hazardous. This is an opportunity for Congress to be proactive rather than reactive.

I invite Members to join me in supporting thoughtful action to ensure the safety of the American public and our environment.

Madam Chair, I urge a "yes" vote on my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. BALDERSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TONKO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. DELGADO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 116-366.

Mr. DELGADO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. ____ DISCLOSURE OF INTRODUCTIONS OF PFAS.

(a) IN GENERAL.—The introduction of any perfluoroalkyl or polyfluoroalkyl substance by the owner or operator of an industrial source shall be unlawful unless such owner or operator first notifies the owner or operator of the applicable treatment works of—

(1) the identity and quantity of such substance;

(2) whether such substance is susceptible to treatment by such treatment works; and

(3) whether such substance would interfere with the operation of the treatment works.

(b) VIOLATIONS.—A violation of this section shall be treated in the same manner as a violation of a regulation promulgated under subsection 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317(b)).

(c) DEFINITIONS.—In this section:

(1) INTRODUCTION.—The term "introduction" means the introduction of pollutants into treatment works, as described in section 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317).

(2) TREATMENT WORKS.—The term "treatment works" has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from New York (Mr. DELGADO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. DELGADO. Madam Chair, today, I am pleased to offer this bipartisan amendment to strengthen this legislation aimed at addressing PFAS contamination in our communities.

Right now, communities in upstate New York continue to struggle with the impacts of PFAS contamination in drinking water. Residents of Hoosick Falls and Petersburg in Rensselaer County are living every day with the impacts of PFAS contamination, which we know include thyroid disease, birth defects, autoimmune disorders, and cancer.

Last year, Emily Marpe, who now lives with her family in Hoosick Falls, testified before the Energy and Commerce Committee about her experiences with contaminated water in her home in Petersburg, New York. Emily spoke about her experiences of being unable to drink the water from her faucet and having to sell her home and then test her blood as well as the blood of her children for PFOA.

What Emily described is all too common in my district, and it is representative of the experiences of communities across the country. This is why PFAS has been a priority of mine and so many in this Chamber on both sides of the aisle.

The PFAS Action Act is a critically important bill. My bipartisan amendment will strengthen this legislation and address another element of this crisis: indirect discharge. My amendment, which pulls from the PFAS Transparency Act, would make it illegal for an industrial facility to introduce PFAS into a sewage treatment system without first disclosing information about that substance.

Right now, companies can tap into a public wastewater infrastructure and introduce PFAS into our sewage systems, regardless of the local treatment plant's ability to effectively treat the contamination.

Most municipal water treatment plants are not equipped to effectively treat for PFAS contamination, which makes indirect discharges extremely

hazardous, particularly when not disclosed.

The PFAS Transparency Act establishes a commonsense requirement that industrial facilities disclose this information to treatment systems beforehand, meaning more transparency and accountability for our communities.

I would like to take this moment to recognize my coleads on this measure, Representatives CHRIS PAPPAS and HARLEY ROUDA. We introduced this PFAS Transparency Act alongside the bipartisan Clean Water Standards for PFAS Act of 2020, which would require the EPA to review PFAS discharges under the Clean Water Act and issue regulations to address harmful discharges of PFAS into our Nation's waterways.

These bills together take important steps to increase our understanding of PFAS in wastewater and address harmful discharges in our water system, both direct and indirect.

I urge this House to stand with our communities facing unthinkable consequences of PFAS contamination. Madam Chair, I urge a "yes" vote on this amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Mr. DELGADO. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 2 minutes remaining.

Mr. DELGADO. Madam Chair, I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Madam Chair, I thank the gentleman for yielding.

Under the Clean Water Act, many industries discharge directly to municipal sewage treatment plants rather than discharge directly to surface waters. To address this practice, the Clean Water Act established a pretreatment program, which allows sewage treatment plants to work with industrial discharge connections to ensure that any industrial chemicals are properly treated or that these chemicals do not disrupt the normal functioning of the sewage treatment plants.

However, a pretreatment program is only effective if the sewage treatment plant knows which chemicals are being introduced into their sewage treatment systems. Yet, there is no current Clean Water Act requirement that requires industrial discharges to tell the municipality that it plans to release PFAS-related chemicals into the sewage system.

This amendment offered by the gentleman from New York (Mr. DELGADO) would address this current loophole. I support this amendment, and I appreciate the good work that the gentleman from New York has done not

only for the residents of his congressional district but for the residents of this country. This is an important amendment. I appreciate the hard work he has done and the sensitivity he has shown.

Mr. DELGADO. Madam Chairwoman, I am prepared to close, and I want to use this opportunity to strengthen our defenses against these dangerous “forever chemicals” and protect our drinking water for generations to come.

Madam Chair, I urge a “yes” vote on this important bipartisan amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Madam Chairwoman, I yield myself the balance of my time.

This amendment makes it illegal for an industrial facility to introduce PFAS into a sewage treatment system without first disclosing information about that substance. This amendment effectively would create an entirely new and duplicative regulatory program under the Clean Water Act.

This amendment is an ad hoc attempt at regulating PFAS without any consideration of whether or how these requirements would duplicate or mesh with the implementation of the EPA PFAS Action Plan or similar, already existing regulatory requirements under the Clean Water Act.

The committee of jurisdiction for this provision is the Transportation and Infrastructure Committee, and they have held no hearings and conducted no stakeholder or scientific community engagement or consultation on this issue. As a result, this amendment is nothing more than an automatic reaction to regulate in a vacuum without risk information and without an understanding of its consequences.

Madam Chair, I urge a “no” vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. DELGADO).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. PINGREE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 116–366.

Ms. PINGREE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 46, line 12, strike “or cooking utensil” and insert “cooking utensil, carpet, or rug, clothing, or upholstered furniture”.

Page 46, beginning on line 14, strike “or cooking utensil” and insert “cooking utensil, carpet, rug, clothing, or upholstered furniture”.

Page 46, beginning on line 17, strike “or cooking utensil” and insert “cooking utensil, carpet, rug, clothing, or upholstered furniture”.

The Acting CHAIR. Pursuant to House Resolution 779, the gentlewoman from Maine (Ms. PINGREE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maine.

Ms. PINGREE. Madam Chair, I yield myself such time as I may consume.

I thank Chairman PALLONE and Congresswoman DINGELL for their leadership on PFAS issues, and I thank Congresswoman SPANBERGER, who is also a sponsor of this amendment with me.

I rise today in support of my amendment to H.R. 535, the PFAS Action Act of 2019. This bipartisan bill would take much-needed and long-overdue action on these forever harmful chemicals.

These pervasive and dangerous chemicals pose serious risks to both human health and to our environment, and the delay in taking action on them has been inexcusable. They are known hormone disruptors, and studies link exposure to them to kidney and testicular cancer, thyroid disease, and other health problems.

PFAS chemicals are concentrated in human and animal blood and tissue and can remain there for years. It is estimated that 99 percent of Americans have PFAS in their blood.

In my home State of Maine, PFAS was first discovered from the groundwater at former military installations from firefighting foam, but PFAS has also been found in our public water supplies, soil, animal products, and household products like cookware and carpets.

A 2015 review by the Environmental Working Group showed the majority of PFAS in homes comes from its presence in carpets and textiles. The U.S. Centers for Disease Control named carpet as the number one source of PFAS exposure for infants and toddlers, who, as you can imagine, spend a lot of time playing, lying, and crawling on carpets.

My amendment would expand the Environmental Protection Agency’s Safer Choice label to additional household products, including carpet, rugs, clothing, or upholstered furniture certified not to contain PFAS. This change would prompt manufacturers to develop safer alternatives and help consumers find and buy healthier products for their homes.

I urge my colleagues to join me in taking action for the health of our communities and the environment and vote “yes” on my amendment.

Madam Chair, I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Ms. PINGREE. Madam Chair, I yield 1 minute of my time to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Madam Chair, I thank the gentlewoman from Maine for yielding.

I support the Pingree-Spanberger amendment, which would expand the voluntary label for PFAS-free products to include carpets, rugs, clothing, and upholstered furniture.

The PFAS-free label created under this bill was developed by Representative SOTO to help consumers who are trying to protect themselves from PFAS risks. I thank Mr. SOTO for his work on that provision.

Expanding that label to cover carpeting, rugs, clothing, and upholstered furniture makes great sense. Recent data suggests that those consumer products can be a significant source of PFAS exposure and that PFAS-free products are available on the market. Currently, consumers have no clear way to know which rugs have PFAS and which do not.

Manufacturers that are taking steps to produce these items without PFAS have no way of distinguishing their products in the marketplace. This amendment will give them that tool.

I congratulate both Representatives PINGREE and SPANBERGER for their sensitivity to consumers by placing this amendment before us. I urge my colleagues to support the amendment and the overall bill.

Ms. PINGREE. Madam Chair, consumers have the right to know what harmful chemicals are in their homes, and they should have the ability to choose products that keep their families and their environment safe.

Madam Chair, I urge my colleagues to vote “yes” on my amendment, and I yield back the balance of my time.

□ 2015

Mr. SHIMKUS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment expands EPA’s Safer Choice program to include carpets, rugs, clothing, and upholstered furniture that do not contain PFAS.

The Safer Choice program was not meant to cover products like this, and it will be extremely expensive and time-consuming to do so. Revisions to the program of this type are not consistent with the intent of the program and would require significant changes to the program to implement it effectively.

To establish this standard, EPA would have to hold listening sessions and propose and finalize changes to the Safer Choice standard. Public involvement would have to be substantial.

Most importantly, for consumers’ information, labeling indicating the absence of PFAS does not necessarily mean a safer product, which undermines the purpose of the EPA program.

In addition, when bisphenol A, commonly known as BPA, was used in baby bottles, companies and retailers who made bottles with other substances had no problem labeling their products as BPA-free.

In some ways, this is a taxpayer-funded advertising campaign for corporations that can cut commercials for their products themselves.

In some ways, the Federal Government needs to get into this area. A better way would be to have a collaborative among the EPA, the Consumer

Product Safety Commission, the Federal Trade Commission, and the Food and Drug Administration to make recommendations on how to convey any risk from these products.

This is not the right way to address this issue.

Madam Chair, I would urge a “no” vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 116-366.

Mr. KILDEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following section:

SEC. 19. HOUSEHOLD WELL WATER TESTING WEBSITE.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall establish a website containing information relating to the testing of household well water.

(b) CONTENTS.—The Administrator shall include on the website established under subsection (a) the following:

(1) Information on how to get groundwater that is the source for a household water well tested by a well inspector who is certified by a qualified third party.

(2) A list of laboratories that analyze water samples and are certified by a State or the Administrator.

(3) State-specific information, developed in coordination with each State, on naturally occurring and human-induced contaminants.

(4) Information that, using accepted risk communication techniques, clearly communicates whether a test result value exceeds a level determined by the Administrator or the State to pose a health risk.

(5) Information on treatment options, including information relating to water treatment systems certified by the National Science Foundation or the American National Standards Institute, and people who are qualified to install such systems.

(6) A directory of whom to contact to report a test result value that exceeds a level determined by the Administrator or the State to pose a health risk.

(7) Information on financial assistance that is available for homeowners to support water treatment, including grants under section 306E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e) and State resources.

(8) Any other information the Administrator considers appropriate.

(c) COORDINATION.—The Administrator shall coordinate with the Secretary of Health and Human Services, the Secretary of Agriculture, and appropriate State agencies in carrying out this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,000,000 for fiscal year 2021.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Madam Chair, I yield myself such time as I may consume.

One community I represent is Oscoda, a small town in the northern part of my district. It was once the home of the Wurtsmith Air Force Base.

Even though that base closed more than two decades ago, the Oscoda community is now dealing with PFAS contamination from the base that is leaching into their drinking water and the nearby lakes.

For years, I have been fighting to help the people of Oscoda clean up PFAS contamination.

In January of last year, 1 year ago, I, along with Congressman BRIAN FITZPATRICK, founded the bipartisan Congressional PFAS Task Force to bring Republicans and Democrats together to address this growing and urgent public health threat. We now have 50 members up from the 14 members that we started with. As more Members of Congress learn about contamination in their districts, they are joining this movement.

We are beginning to know the problem, and we know that we have to do more urgently to act to clean up and address PFAS in the environment.

That is why I am a strong supporter of the bipartisan PFAS Action Act, a bill pushed through the Energy and Commerce Committee with the support of many Members, but most importantly, my Michigan colleague, Congresswoman DEBBIE DINGELL.

According to the Environmental Working Group, over 100 million people are exposed to PFAS in their drinking water. This isn't acceptable. Every American deserves clean drinking water.

The PFAS Action Act will help protect families from PFAS in their drinking water, lakes, rivers, and streams and in the air by requiring PFAS to be listed under the Safe Drinking Water Act, the Clean Water Act, and the Clean Air Act. It will also require polluters and corporations to clean up their PFAS contamination through CERCLA.

It is important that Congress acts, because the Trump administration has not.

While the EPA and the Defense Department both have had authority to protect the public from PFAS, they have so far failed in their responsibilities to address this public health crisis.

The EPA has run a public relations campaign to convince us that they care about PFAS but has failed to act to regulate these dangerous chemicals, even missing their own promised deadlines to act.

Just this week, the White House signaled that it would likely veto this legislation. In threatening to veto this bill, President Trump and his administration clearly are siding with polluters instead of protecting the health of the American people.

This act represents a continued push by this bipartisan group of legislators for much-needed legislation to clean up PFAS and to safeguard us from these chemicals.

Some of the provisions in this bill were taken out of the recently passed NDAA by Senate Republicans, who sided again with President Trump and the administration on behalf of corporate polluters to block these provisions from becoming law.

While we were able to include many good PFAS provisions in the NDAA, including phasing out of firefighting foam, requiring polluters to report when they release PFAS into the environment, and allowing for a nationwide study of PFAS contamination, many of these critical provisions were ultimately blocked by Senate Republicans. The House will continue to act to protect public health and urge action for Oscoda and so many other places around the country.

I also, obviously, urge the passage of my amendment, which would promote transparency and streamline EPA resources to help people potentially exposed to PFAS and other contaminants to understand better what their test results mean.

In the U.S., well water is essentially unregulated. For the 43 million people in our country with well water, when they get testing results back, it is hard for them to understand how it could impact their family's water supply.

Under this amendment, the EPA website would be simplified and streamlined, making it easier for millions of American families to understand the threat they face.

Madam Chair, I thank my colleagues, Congressman KIND from Wisconsin and Congressman GALLAGHER, for supporting me with this amendment. I encourage its adoption.

Madam Chair, I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Mr. KILDEE. Madam Chair, I urge my colleagues to adopt this.

Just to be clear, I support the underlying legislation, obviously. The amendment simply requires that we provide an opportunity for people who are potentially going to be affected by PFAS, particularly in drinking water but also from other sources, to be able to understand easily the threat they face.

Madam Chair, I urge my colleagues on both sides of the aisle to support this. Ultimately, this amendment is about making sure people are armed with the information that they need to protect their families.

Madam Chair, I yield back the balance of my time.

Mr. SHIMKUS. Madam Chair, I appreciate my friend and colleague from

Michigan. He has been very active on this issue for many years now, and I respect his intensity and his efforts. A couple of things, because a lot of the debate was initially just on the overall bill.

It is the Senate that caused us not to enact all these provisions in the NDAA. That is why they are on record as not going to move this bill.

We did have a chance for the Safe Drinking Water Act to be included in the final piece of legislation. That was blocked by someone, and now, here we are.

The President has threatened to veto the act. You are correct about that.

Mr. KILDEE also raised the benefits of what we did do, and I listed them earlier, from the EPA to mandate that drinking water systems monitor for unregulated PFAS, provide grants to communities, require new reporting of PFAS under the Toxics Release Inventory program, require manufacturers and processors of PFAS to submit health and safety information—these are all law today—restrictions on new uses of long-change PFAS, guidance for appropriate destruction of per- or polyfluorinated compounds, require the Federal Government to work expeditiously with States to enter into binding cooperative agreements. That is particularly important for the gentleman's State, which was a success. Of course, I have many more.

I would also like to highlight the appropriations bill, which included \$2.8 billion for the Clean Water and Drinking Water State Revolving Fund, with that \$20 million going for this issue.

You do adequately highlight the success that we made at the end of last year on these two programs. We don't want to diminish the success. I know it is not as far as a lot of people wanted to go, but there was some success.

To your amendment, it is a federalism debate. Water wells in States are regulated, controlled, and tested by the States, not the EPA.

Under this amendment, the Federal Government would have to collect and manage information about individuals and their property. This amendment, both broad and vague at the same time, would be an enormous expansion of the Federal Government into an area that has been governed by States.

If these wells in the gentleman's State are not being tested, they are not being tested by his State, and I know his State is very aggressive.

Mr. KILDEE. Will the gentleman yield?

Mr. SHIMKUS. I yield to the gentleman from Michigan.

Mr. KILDEE. You raise an excellent point. The issue is, we could mandate, if you would choose to, that States provide information on a website that is easily discernible. The problem is that while wells and other sources may be tested—I don't know if you have had the opportunity to read the published tests from those examinations. The idea of the amendment is not just to

see that the information is somehow available somewhere but available in a fashion that is easily discernible by people who are not scientists.

Mr. SHIMKUS. Reclaiming my time, so you are saying your State is not capable of doing it themselves? I mean, your State health department can't do the research?

You are also talking about private wells on private property, bringing the Feds in to list the water systems for that. Obviously, under the system of Federal Government, we are raising some concerns on that amendment.

Let me continue. If I have some time, we can go on.

In addition to State departments of health that certify the laboratories—it is your department of health that certifies the laboratories that test the water, not EPA, as this legislation implies.

It would place a lot of burdens on EPA to carry out a program that States and local governments could more easily and appropriately handle. It would also likely take more than a year to establish this program, which is all the bill provides in this statutory language.

I believe this amendment also places serious unfunded mandates on States.

Finally, I have questions about whether the information being collected and disseminated under this amendment can be done in a way that meets the proper risk communication strategies called for in the Brown amendment.

That is why we have problems with this amendment.

Mr. KILDEE. Will the gentleman yield?

Mr. SHIMKUS. I yield to the gentleman, my friend.

Mr. KILDEE. I appreciate the gentleman's concern.

I think we may simply have a disagreement as to whether or not there is a legitimate Federal role in ensuring that this information is readily available.

I understand the point about States, but I believe this is a national interest in part because it is the Federal Government very often which is the biggest culprit here.

The community, for example, that I represent in Oscoda, where so many individuals had their private wells affected, they were affected by the Federal Government's poisoning of the groundwater.

Mr. SHIMKUS. I wish I could debate longer, but my time has expired.

The Acting CHAIR. The time of the gentleman has expired.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 116-366.

Mr. TONKO. Madam Chair, as the designee of the gentlewoman from

Michigan (Mrs. LAWRENCE), I rise to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2, add the following:

(c) PUBLIC AVAILABILITY.—Not later than 60 days after making a determination under subsection (b), the Administrator of the Environmental Protection Agency shall make the results of such determination publicly available on the website of the Environmental Protection Agency.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Madam Chair, I yield myself as much time as I may consume.

I thank Congress Member LAWRENCE for her work on this amendment.

The amendment, Madam Chair, is simple. It would ensure that the public is notified when any additional chemicals in the PFAS family are designated as hazardous substances.

More specifically, this amendment requires the EPA to publish its determinations on the remaining PFAS chemicals on its publicly accessible website within 60 days.

Public reporting helps communicate how government is working for the people. For agencies like the EPA, full transparency is necessary to inform our communities about threats to public health and the environment.

□ 2030

Our constituents have the right to know exactly what contaminants are in the air we breathe and the water we drink. As she noted in her statement in support of her amendment, in her home State of Michigan, she knows the importance of clean air and clean water from firsthand experience.

We know threats to our environment and public health do not discriminate, and the Representative concludes that she knows that, too often, it is the most important unrepresented and disadvantaged communities that are left behind.

Mr. Chair, I urge support for the amendment from the gentlewoman from Michigan, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR (Mr. BRINDISI). The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chair, while I will not oppose this amendment, this section, in particular, is objectionable. But putting Agency decisions on their website sounds like a reasonable proposal.

I am concerned about the timing of 60 days—that would be something that the Agency can do without a problem—and would have preferred that the Agency was invited to testify on sweeping an antiscience bill and its implications.

I do not intend to oppose this amendment, and I yield back the balance of my time.

Mr. TONKO. Mr. Chair, I thank the gentleman for his support of this amendment, and I encourage my colleagues to support the amendment and the overall bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MISS RICE OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116-366.

Miss RICE of New York. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, lines 1 through 4, amend subsection (e) to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section not more than \$125,000,000 for each of fiscal years 2020 and 2021.

“(2) SPECIAL RULE.—Of the amounts authorized to be appropriated by paragraph (1), \$25,000,000 are authorized to be appropriated for each of fiscal years 2020 and 2021 for grants under subsection (a) to pay for capital costs associated with the implementation of eligible treatment technologies during the period beginning on October 1, 2014, and ending on the date of enactment of this section.

The Acting CHAIR. Pursuant to House Resolution 779, the gentlewoman from New York (Miss RICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Miss RICE of New York. Mr. Chair, my amendment would expand the PFAS Infrastructure Grant Program by 25 percent and designate the increased funds for reimbursing water districts that have already started to address the PFAS water crisis.

Like many communities across the Nation, Long Island, my district in New York, played a major role in the industrialization of America. Industrialization brought unparalleled economic growth, innovative new technologies, and transformed society as we know it.

But with these great societal gains also came unintended consequences, like PFAS drinking water contamination.

PFAS are toxic chemicals found in paint, cleaning products, packaging, and countless other products; and too often, they find their way into our drinking water systems.

According to a May 2019 study by the New York Public Interest Research Group, Long Island has the most contaminated drinking water in New York State, and Nassau County has the highest number of water systems with detected emerging contaminants, including PFOA and PFOS.

For years, water districts across the country have had to invest millions of their own dollars on technology to secure impacted wells and keep their residents safe. These costs have crushed our local communities, and that is why I have offered this amendment today.

Communities that could not wait for Federal action and that quickly redirected resources to address this immediate health threat should not be punished. The Federal Government failed to address this threat for decades. The least we can do now is help reimburse the costs incurred by local water districts that acted when Congress failed to do so.

Without this Federal reimbursement, costs could be unfairly transferred to residents in the form of higher water utility bills. We cannot let this happen. Residents should not be left with the bill when they had no responsibility for the crisis.

I would like to thank my colleagues from Long Island, Representatives PETER KING and TOM SUOZZI, for co-leading this amendment with me, and our other bipartisan cosponsors, Representatives FITZPATRICK, GRIJALVA, CISNEROS, and STEVENS, as well.

This is a commonsense bipartisan priority, and I urge all of my colleagues to support my amendment to help these communities.

Mr. Chair, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Miss RICE of New York. Mr. Chair, I am prepared to close.

Mr. Chair, I want to thank Chairman PALLONE for supporting the amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I will use the time that I have available.

This amendment provides reimbursement funding for treatment technologies that were purchased up to 5 years ago. The program for which this amendment is offered is supposed to aid communities that have demonstrated problems and are economically disadvantaged and cannot afford the new technology because of the expense. That is why we have the program.

This amendment suggests that community water systems that had the means and no expectation of Federal funding to pay for them get money for past work. It does not seem a fair use and diversion of taxpayer resources considering the expense of the technology that can currently meet the criteria of an eligible technology and the unknown nature of the communities that might need it.

According to the EPA, there are few, if any, reverse osmosis treatment options that are economically viable on a

mass scale that would remove all detectable amounts of PFAS.

I understand the intent of the legislation, but our grant and loan programs are designed for communities that can't afford the expense. What my colleague is asking is that those communities that could and did make the investment, that they then be reimbursed, thus depriving communities that can't afford to do it an opportunity to obtain it.

Mr. Chair, that is why we object to the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Miss RICE).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116-366.

Mr. BROWN of Maryland. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the committee print, insert the following new section:

SEC. 19. RISK-COMMUNICATION STRATEGY.

The Administrator of the Environmental Protection Agency shall develop a risk-communication strategy to inform the public about the hazards or potential hazards of perfluoroalkyl and polyfluoroalkyl substances, or categories of perfluoroalkyl and polyfluoroalkyl substances, by—

(1) disseminating information about the risks or potential risks posed by such substances or categories in land, air, water (including drinking water), and products;

(2) notifying the public about exposure pathways and mitigation measures through outreach and educational resources; and

(3) consulting with States that have demonstrated effective risk-communication strategies for best practices in developing a national risk-communication strategy.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BROWN of Maryland. Mr. Chair, I yield myself as much time as I may consume.

I want to first thank Chairman PALLONE, Chairman TONKO, and Congresswoman DINGELL for this comprehensive package.

We know PFAS-related substances remain in our bodies and environment for years, if not decades. Coupled with widespread consumer use and pollution, PFAS toxins could result in long-lasting public health problems.

This legislation confronts PFAS contamination, spurs cleanup efforts, and sets a drinking water limit. It is critical for government agencies to inform the public of the risk posed by PFAS-related substances.

My amendment would require the EPA to develop a national risk communication strategy to share the best

available science about PFAS and its hazards, notify the public about risks and mitigation measures, and consult with States with effective statewide risk communication strategies of their own.

In my home State of Maryland, PFAS has been identified in the water at eight DOD installations, tainting neighboring communities' local wells and seeping into the Chesapeake Bay watershed. I am proud that Maryland is committed to PFAS transparency and research and is taking this issue seriously.

Mr. Chair, there are some communities that are especially vulnerable to PFAS exposure, among them, firefighters at military installations. To stop the spread of fire at training sites, fire departments use a type of firefighting foam that contains PFAS-related substances.

Over the course of their careers, these firefighters put themselves in harm's way, unaware of the toxicity of these chemicals and the health issues they can cause down the road. We owe these servicemen and -women an unrecoverable debt, and it is our duty to communicate to them the hazards that they were exposed to while risking their lives protecting the public.

Whether it is former firefighters, military families living on bases, or the American people at large, the exchange of information between communities, risk assessors, and scientists is critical.

As we continue to learn more about the full range of health problems linked to PFAS, we must also communicate that risk to the public. Sharing this risk, the knowledge of the risk, is an important step to give the public the resources they need to defend against PFAS contamination and the adverse health impacts it can cause.

Madam Chair, I encourage my colleagues on both sides of the aisle to support this amendment and the underlying bill, and I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I claim the time in opposition to the amendment, although I do not oppose it.

The Acting CHAIR (Miss RICE of New York). Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Mr. BROWN of Maryland. Madam Chair, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Madam Chair, I thank the gentleman from Maryland for yielding.

I rise in support of the gentleman's amendment. By requiring the EPA to develop a national risk communication strategy surrounding PFAS, the Federal Government will be better able to educate Americans and inform the public about the danger of PFAS chemicals.

Experts believe that 99 percent of Americans have some level of PFAS in their blood, and most of them don't even know it.

I thank the gentleman for his strong leadership in addressing the PFAS crisis head-on and thank him for offering this amendment.

Incorporating this amendment will make the PFAS Action Act stronger and communicate the urgency to more people. I am proud to support this amendment and urge all of my colleagues to support it as well.

Mr. BROWN of Maryland. Madam Chair, I yield back the balance of my time.

Mr. SHIMKUS. Madam Chair, we support the amendment because we think it is important to have a national risk communication strategy.

We get troubled and we get confused in this debate when we are going to declare 7,866 chemicals toxic without doing the basic science. Hopefully, as we move this forward, I believe we are going to find some of the 7,866 that are safe, so when we do a risk advisory, we are going to be able to say: These are bad; these are okay.

What the bill does is just say they are all bad, and we don't have any science to prove that. I think we are close on PFOA, and we are close to that on PFOS.

Again, we could have moved in a bipartisan manner to address those. We didn't do that. But we would like, as the EPA considers this and informing the public, that they look at hazard identification, exposure assessment, and a risk characterization.

So risk is a combination of time and exposure over a period of time. You can talk to toxicologists. That is what they do. That was the glue that held the TSCA bill together was the focus on using science.

Again, as you have heard tonight and you will hear tomorrow, our problem is that we are rushing legislation before we are allowing the science to truly evaluate this, and we are classifying, currently, all 7,866 as hazardous, which I don't believe they are.

We have never, in the history of this Republic, under the Superfund Act, legislatively banned a chemical. We have always allowed scientific process.

So I think the amendment is helpful in that it helps us be able to clarify when we do the scientific analysis what is safe, what is not.

Informing the public is good. Transparency is great. We support the amendment. We appreciate the gentleman bringing it forward.

Madam Chair, I yield back the balance of my time.

□ 2045

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BROWN).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. PAPPAS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 116-366.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ____ CLEAN WATER ACT EFFLUENT STANDARDS, PRETREATMENT STANDARDS, AND WATER QUALITY CRITERIA FOR PFAS.

(a) REVIEW AND REGULATION OF SUBSTANCES AND SOURCES.—

(1) REVIEW.—

(A) IN GENERAL.—As soon as practicable, but not later than September 30, 2021, and biennially thereafter, the Administrator shall publish in the Federal Register a plan under subsection (m) of section 304 of the Federal Water Pollution Control Act (33 U.S.C. 1314) that contains the results of a review, conducted in accordance with such section, of the introduction or discharge of perfluoroalkyl and polyfluoroalkyl substances from classes and categories of point sources (other than publicly owned treatment works).

(B) INCLUSIONS.—The Administrator shall include in each plan published pursuant to subparagraph (A)—

(i) information on potential introduction or discharges of perfluoroalkyl and polyfluoroalkyl substances;

(ii) any information gaps on such introduction or discharges and the process by which the Administrator will address such gaps;

(iii) for each measurable perfluoroalkyl and polyfluoroalkyl substance that is not on the list of toxic pollutants described in section 307(a) of the Federal Water Pollution Control Act, a determination, in accordance with the requirements of such section, whether or not to add the substance to such list; and

(iv) a determination, in accordance with the requirements of the Federal Water Pollution Control Act, whether or not to establish effluent limitations and pretreatment standards for the introduction or discharge of each substance described in clause (iii) that the Administrator determines under such clause not to add to such list and for which the Administrator has not developed such limitations or standards.

(2) REGULATION.—Based on the results of each review conducted under paragraph (1) and in accordance with the requirements of the Federal Water Pollution Control Act, the Administrator shall—

(A) in accordance with the plan published under paragraph (1), as soon as practicable—

(i) for each measurable perfluoroalkyl and polyfluoroalkyl substance that the Administrator determines under paragraph (1)(B)(iii) to add to the list of toxic pollutants described in section 307(a) of such Act, initiate the process for adding the substance to such list; and

(ii) for each measurable perfluoroalkyl and polyfluoroalkyl substance that the Administrator determines under paragraph (1)(B)(iv) to establish effluent limitations and pretreatment standards, establish such effluent limitations and pretreatment standards (which limitations and standards may be established by substance or by class or category of substances); and

(B) not later than 2 years after the date on which each plan is published under paragraph (1), publish human health water quality criteria for measurable perfluoroalkyl and polyfluoroalkyl substances and classes and categories of perfluoroalkyl and polyfluoroalkyl substances for which the Administrator has not published such criteria.

(b) DEADLINES FOR COVERED PERFLUOROALKYL SUBSTANCES.—

(1) **WATER QUALITY CRITERIA.**—Not later than 2 years after the date of enactment of this section, the Administrator shall publish in the Federal Register human health water quality criteria for each covered perfluoroalkyl substance.

(2) **EFFLUENT LIMITATIONS AND PRETREATMENT STANDARDS FOR PRIORITY INDUSTRY CATEGORIES.**—As soon as practicable, but not later than 4 years after the date of enactment of this section, the Administrator shall publish in the Federal Register a final rule establishing, for each priority industry category, effluent limitations and pretreatment standards for the introduction or discharge of each covered perfluoroalkyl substance.

(c) **NOTIFICATION.**—The Administrator shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each publication made under this section.

(d) **IMPLEMENTATION ASSISTANCE FOR PUBLICLY OWNED TREATMENT WORKS.**—

(1) **IN GENERAL.**—The Administrator shall award grants, in amounts not to exceed \$100,000, to owners and operators of publicly owned treatment works, to be used for the implementation of a pretreatment standard developed by the Administrator for a perfluoroalkyl or polyfluoroalkyl substance.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this subsection \$100,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

(e) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **COVERED PERFLUOROALKYL SUBSTANCE.**—The term “covered perfluoroalkyl substance” means perfluorooctanoic acid, perfluorooctane sulfonic acid, or a salt associated with perfluorooctanoic acid or perfluorooctane sulfonic acid.

(3) **EFFLUENT LIMITATION.**—The term “effluent limitation” means an effluent limitation under section 301(b) of the Federal Water Pollution Control Act (33 U.S.C. 1311).

(4) **INTRODUCTION.**—The term “introduction” means the introduction of pollutants into treatment works, as described in section 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317).

(5) **MEASURABLE.**—The term “measurable” means, with respect to a chemical substance or class or category of chemical substances, capable of being measured using—

(A) test procedures established under section 304(h) of the Federal Water Pollution Control Act (33 U.S.C. 1314);

(B) applicable protocols and methodologies required pursuant to section 4(a) of the Toxic Substances Control Act (15 U.S.C. 2603); or

(C) any other analytical method developed by the Administrator for detecting pollutants, as such term is defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(6) **PRETREATMENT STANDARD.**—The term “pretreatment standard” means a pretreatment standard under section 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317).

(7) **PRIORITY INDUSTRY CATEGORY.**—The term “priority industry category” means the following point source categories:

(A) Organic chemicals, plastics, and synthetic fibers, as identified in part 414 of title 40, Code of Federal Regulations.

(B) Pulp, paper, and paperboard, as identified in part 430 of title 40, Code of Federal Regulations.

(C) Textile mills, as identified in part 410 of title 40, Code of Federal Regulations.

(8) **TREATMENT WORKS.**—The term “treatment works” has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(9) **WATER QUALITY CRITERIA.**—The term “water quality criteria” means criteria for water quality under section 304(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1314).

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from New Hampshire (Mr. PAPPAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. PAPPAS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, for decades, Americans have been exposed to toxic PFAS chemicals and there are not sufficient protections in place to safeguard our communities, our drinking water, and our environment. Americans are getting sick from these forever chemicals that are known to cause cancer, immune disorders, and thyroid problems, among other serious health conditions.

I represent so many tireless advocates and concerned citizens in New Hampshire who have identified this threat in their own communities and raised our collective consciousness about the dangers of PFAS.

I have heard about PFAS from too many servicemembers and their families who were exposed to high concentrations in drinking water on a base.

I have heard about it from residents who have had their private wells contaminated by a manufacturing plant.

I have heard about it from families who live near a landfill where PFAS-laden waste was dumped, an area that also has some of the Nation's highest cancer rates.

We must recognize that we are only having this conversation today because of advocates like them across the country who have sounded the alarm. It is about time we implement policies that address the widespread contamination that exists in every one of our districts.

We would be negligent if we fail to do so.

I am offering an important, bipartisan amendment to this legislation that is based on a bill that I have filed, the Clean Water Standards for PFAS Act. If we want to truly protect the public from PFAS, we must stop pollution which continues today. We must prevent industry and other polluters from dumping PFAS into rivers, streams, and other bodies of water, and further contaminating the environment.

This amendment calls on the EPA to set and enforce proactive limits for PFAS discharge. It also requires EPA to issue pretreatment standards for polluters who discharge PFAS directly to water treatment facilities. This amendment also creates a grant program to provide assistance to treatment facilities, ensuring that municipalities have the resources to meet

these requirements that will help keep our communities safe.

My constituents deserve clean water. There is nothing more important than the health and safety of our communities, and we must work together to stop PFAS from getting into the environment and poisoning our drinking water.

Madam Chair, I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Mr. PAPPAS. Madam Chair, I urge all of my colleagues to vote in favor of this amendment. And I want to thank all of those who have stepped forward to address this issue, including the bipartisan Congressional PFAS Task Force as well as the coleads of this particular amendment, Representatives ROUDA, DELGADO, FITZPATRICK, KUSTER, CISNEROS, and KILDEE.

I really appreciate the discussion here today. It is about time that we go beyond action plans and actually implement some policies that are going to affect people's lives in a positive manner back home. I urge adoption of this amendment and the underlying bill.

I yield back the balance of my time.

Mr. SHIMKUS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I understand this reflects an effort to improve this proposal from when we considered it under the National Defense Authorization Act, but I don't know what has changed or what it means since there has been no hearing or a markup record for me to consult to better appreciate this proposal or its impacts.

There are 7,866 per- and polyfluorinated compounds listed on EPA's PFAS master list, an uninformed policy could carry massive unintended consequences on the liability and regulatory forms.

As I read it, this amendment continues an antiscience mindset that seeks to regulate first, without adequate knowledge or understanding of the per- and polyfluorinated compound situation and then say, okay, we will figure it out later.

This amendment covers PFAS substances that may not necessarily be what chemicals the industry is currently using, and simultaneously mandates creating new standards for every measurable PFAS chemical substance. This means EPA will be forced to divert resources to chase those PFAS that are no longer in use and may not be necessary.

The amendment requires EPA to regulate PFAS compounds through the Clean Water Act without validated analytical methods for detention in wastewater; without established science or human and environmental impacts to determine appropriate and

legally, scientifically defensible standards; and without an understanding of how best to treat and remove pollutants from wastewater, even if there was a validated method for detection.

The deadline in this amendment will likely make EPA's work to implement it vulnerable to a legal challenge, delaying any real benefit that the proponents want from it, and enriching the trial bar in the process.

Madam Chair, I urge my colleagues to vote "no" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. PAPPAS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PAPPAS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Hampshire will be postponed.

AMENDMENT NO. 14 OFFERED BY MS. PLASKETT

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 116-366.

Ms. PLASKETT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the committee print, add the following new section:

SEC. 19. ASSISTANCE TO TERRITORIES FOR ADDRESSING EMERGING CONTAMINANTS, WITH A FOCUS ON PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

Section 1452(t) of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) ASSISTANCE TO TERRITORIES.—Of the amounts made available under this subsection, the Administrator may use funds to provide grants to the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam for the purpose of addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.”.

The Acting CHAIR. Pursuant to House Resolution 779, the gentlewoman from the Virgin Islands (Ms. PLASKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Madam Chair, I rise in support of this amendment.

This amendment is simply a correction. It would make the United States territories eligible for additional Safe Drinking Water Act funding authorized to address emerging contaminants like PFAS.

Today, we are discussing PFAS, toxic chemicals that have posed adverse public health risks and have persisted because they could not break down. Their carbon fluoride bond is the strongest

bond in nature, so PFAS contamination is continuing to be found all across the country: in the water, air, and soil. It has been extraordinarily widespread.

EPA has acknowledged that millions of people in this country receive drinking water with PFAS over the health advisory limit, and the United States territories have been no exception to this.

It has been a serious issue for communities that have been impacted, and more and more communities will be known to be impacted. A lot of those who have detected it are taking actions, which are expensive, to remove it from the drinking water.

That is why this bill, as reported out of the Energy and Commerce Committee and under the recent NDAA, provides new grant funding to assist water utilities struggling with this issue, contamination in the drinking water and others.

However, as currently written, this grant funding has only been made available to States through the Drinking Water Act's State Revolving Fund program, which does include the District of Columbia and Puerto Rico, as States, but not other U.S. territories, which are generally provided with a separate reservation of overall program funding annually.

My amendment simply corrects this new program to permit the EPA to provide such grants to these American territories, including my district in the U.S. Virgin Islands, to assist their water utilities with PFAS treatment if it is found.

These territories have some of the most severe needs for Federal assistance in the area of clean water and drinking water-related infrastructure, and these needs have historically tended to be woefully underfunded.

They often have received less on a per capita basis than a number of similarly situated States. If Congress is to assist American communities with the removal of toxic PFAS from drinking water, it is only fair to include all American territories as eligible to receive this assistance.

I urge approval of my amendment as simply a matter of fairness. I would also take this opportunity to gently remind my colleagues to please consider Americans in territories in developing legislation intended to assist all Americans.

I reserve the balance of my time.

Mr. SHIMKUS. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, I reserve the balance of my time.

Ms. PLASKETT. Madam Chair, in closing, I would like to just acknowledge to the Chair the support of the Energy and Commerce Committee, particularly my good friend, Mr. TONKO from New York, as well as Congresswoman DEBBIE DINGELL, for intro-

ducing this legislation and all of the staff that has worked on this.

I urge adoption of this amendment as part of fairness to all Americans who face this issue, and I yield back the balance of my time.

Mr. SHIMKUS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we all support the territories having funding to address their drinking water needs. The biggest concern is, the territories really operate from a different system because they don't have the loan program. They don't really have the money to pay back the loan program. So there is a system by which grant funding is awarded to the territories to make up this need.

So the concern is that the amendment may disenfranchise the States from taking from the revolving fund program, when the territories, historically, because they don't use that, they get more grant money. So that is why we oppose it. We think it is going to impact the States' ability to apply for these funds, and we think that the territories have a different method of grant funding to meet their qualities and needs.

I request a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the Virgin Islands (Ms. PLASKETT).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. BRINDISI

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 116-366.

Mr. BRINDISI. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend section 15(a) to read as follows:

(a) LISTING.—

(1) INITIAL LISTING.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall issue a final rule adding perfluorooctanoic acid and its salts, and perfluorooctanesulfonic acid and its salts, to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)).

(2) ADDITIONAL LISTINGS.—Not later than 5 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall determine whether to issue, in accordance with section 112 of the Clean Air Act (42 U.S.C. 7412), any final rules adding perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances listed pursuant to paragraph (1), to the list of hazardous air pollutants under section 112(b) of such Act.

In section 15(b), strike "the final rule" and insert "any final rule".

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from New York (Mr. BRINDISI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BRINDISI. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I want to thank my colleagues from across the aisle, Mr. REED from New York and Mr. GALLAGHER from Wisconsin, for their support of this amendment.

Support for clean air and protecting public health are not Democratic or Republican values. They are American values, and I am glad to work with my colleagues on this commonsense amendment.

My amendment is straightforward. First, it requires immediate action on the most dangerous types of PFAS, including PFOA, which has been found at elevated levels in drinking water in many communities, including Hoosick Falls in upstate New York.

For these obsolete chemistries, EPA would be required to swiftly list these and hazardous air pollutants under the Clean Air Act. While we take action on the chemicals of greatest concern, we will also give the EPA time for a thoughtful, science-based process that acknowledges the differences across PFAS chemicals.

Our amendment will give the EPA 5 years to establish risk-based standards that protect human health and the environment for the many other types of PFAS chemicals.

This will bring the Clean Air Act provisions into line with the CERCLA provisions in this bill. We need to be thoughtful in this process. Protecting public health will make sure that our decisions are informed by the best science available.

This amendment is a commonsense compromise that strikes that balance. I, again, thank Congresswoman DIGGELL and Chairman PALLONE, as well as Chairman TONKO for their work on this important legislation, and their willingness to work with me on our amendment.

I thank Congresswoman STEVENS for her work raising the issue of air contamination when it comes to PFAS chemicals.

I urge adoption of my amendment, and I reserve the balance of my time.

□ 2100

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I reserve the balance of my time.

Mr. BRINDISI. Mr. Chairman, I again urge adoption of my amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is a good attempt to try to bring some sense to this bill, and I appreciate my colleague's attempt.

What the amendment does is it really creates unachievable expectations. There are a lot of problems with the amendment, but one is that you are

asking for a final rule within 100 days, especially if it is not proposed, which is going to set up a deadline suit.

I have dealt with deadline suits. You got a deadline, and they can't meet it, then the agency gets sued.

Why do we pay utilities to hold nuclear waste? Because they have enacted a deadline suit because we say we are going to take their waste, the Federal Government. We didn't take their waste, and now we have to pay the utilities to hold the waste that we were supposed to take.

That is one issue that I have a concern.

Mr. Chairman, 7,866 compounds, Clean Air Act aspects, and you are going to have, as I used numerous times during the National Defense Authorization Act debate, as I have used on the rule debate, these 7,866 different aspects of PFAS we are coming to the floor not using science, not using due diligence, but using political science to say ban it.

Our argument has always been to let's do the science. The problem is, science takes a long time, and the political emotion of this debate just can't wait.

We have addressed a lot of these concerns everybody raised throughout the night through the enacted National Defense Authorization Act and by the omnibus bill. But if you look at the F-16 and the component parts, and we could have an automobile in the new electric vehicle era, new battery technology, medical devices, they are all going to have some type of per- or polyfluorinated compounds.

This amendment with the bill really is a de facto ban on the use of all per- and polyfluorinated compounds, or it is going to scare the producers of this, that they don't want to get caught in a litigation trap, so they are just not going to produce it.

We have talked about firefighting foam quite a bit tonight. It is really a great debate because we do think there is some bipartisan nature that we can get to on that chemical.

If you are in a nuclear sub underneath the Arctic icecap and a fire happens on the sub, do you want the second-best firefighting foam? I mean, really, do you? The second-best means it takes more time, and it takes more water. I don't think you do. But this is where we stand.

The amendment creates both an unrealistic burden and a litigation problem, and the EPA cannot possibly fulfill our requirement to review all PFAS for inclusion in the clean air policy in 5 years. We only have 29 methods of determining per- and polyfluorinated compounds right now, just 29. There are 7,866, and the amendment says to do it in 5 years.

I wish it could be done. I have been here a long time. Government moves slowly. When we throw all these sites into the Superfund, people are going to be hollering about it for 40 years. I read the list earlier of all these Superfund

sites that haven't been remediated. Now, we are just going to expand that. Pull up the map of the country and all those red States, either that is going to be where all the Superfund sites are or that is where all the class action lawsuits are going to be filed in those States to take down those companies that are providing either safe medical devices or equipment for our career and best airplanes and technologies.

Again, I want to applaud my colleague. I think this is something we could have done. We actually were talking about this in a compromise provision. We couldn't get there because of other issues. It is a valiant attempt. My friend is in the majority, and it is going to pass. Unfortunately, the Senate is not going to take up this bill, and the President already has a veto message on the bill. So it will be teed up for the next Congress, and I wish the gentleman luck.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. GOLDEN). The question is on the amendment offered by the gentleman from New York (Mr. BRINDISI).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. BRINDISI

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 116-366.

Mr. BRINDISI. Mr. Chair, I rise to offer an amendment as the designee of the gentleman from New Jersey (Mr. KIM).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 12, insert “, after providing an opportunity for public comment,” after “the Administrator”.

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from New York (Mr. BRINDISI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BRINDISI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleague, Congressman KIM, for writing this amendment, and I rise on his behalf to offer it tonight.

This amendment is straightforward. It ensures that the list of technologies that are most effective in removing PFAS from drinking water are made public and available for public comment prior to final publication. This will allow healthy debate and discussion by scientific experts, universities, industry, and the public to help understand the most effective means of cleanup. By allowing the public to see this information, we can help ensure the EPA is putting our best ideas and methods toward cleaning up these chemicals and making our drinking water safe.

Mr. Chairman, I urge adoption of this commonsense amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment, but I do not plan to object to it.

The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, I reserve the balance of my time.

Mr. BRINDISI. Mr. Chairman, I urge adoption of this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there is no objection to having EPA obtaining technical input on technologies that are effective in removing PFAS from drinking water. I am concerned how formal a process the amendment seeks to impose. I was going to ask questions of Mr. KIM or Mr. PALLONE. They are not here, and that is fine.

The amendment only calls for public comment, but a full-blown notice and opportunity for public comment is an enormously expensive and time-consuming process for any agency, including the EPA. If the focus of the bill is to meet the timelines it imposes and not hold up grantmaking for a public comment process to play out, I think this amendment needs to be rethought a bit to get at the author's intent without tripping up EPA from executing the program.

I will not oppose this amendment because I know there are larger problems with this bill that will prevent it from becoming law, but I want to highlight that this is an acceptable amendment, and I yield back the balance of my time.

The Acting CHAIR (Mrs. AXNE). The question is on the amendment offered by the gentleman from New York (Mr. BRINDISI).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. GOLDEN

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 116-366.

Mr. GOLDEN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, after line 15, insert the following new subsection (and redesignate the subsequent subsection accordingly):

(b) ANNUAL REPORT.—Not later than two years after the date of the enactment of this Act, and annually thereafter, the Administrator, in consultation with the head of the U.S. Fire Administration, shall submit to Congress a report on the effectiveness of the guidance issued under subsection (a). Such report shall include recommendations for congressional actions that the Administrator determines appropriate to assist efforts to reduce exposure to PFAS by firefighters and the other persons described in subsection (a).

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from Maine (Mr. GOLDEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. GOLDEN. Madam Chair, I rise today to offer an amendment to H.R. 535, the PFAS Action Act of 2019.

First, I thank Chairman PALLONE, Congresswoman DINGELL, and the Energy and Commerce Committee for bringing this bill to the floor today. We all know that PFAS contamination is a national issue that has devastated communities across the country.

As of October 2019, the Maine Department of Environmental Protection has more than 30,000 records for PFAS at 244 locations across the State of Maine. In my district, areas surrounding the former Loring Air Force Base, Houlton International Airport, Bangor International Airport, the Navy VLF Radio Station in Cutler, and the Bog Brook military training site in Gilead are known to be contaminated with PFAS compounds.

Groundwater, surface water, soil, and sediment samples collected from these sites identified the presence of these chemicals, posing a major risk to public health and safety.

We also know that emergency response teams are frequently exposed to PFAS in firefighting foams as they work to keep communities safe. Given my State still relies on not only career firefighters but a tremendous amount of volunteer firefighters, the threat of PFAS contamination and the resulting health risks is something I take seriously.

That is why I am pleased to see that the bill we are debating today includes a provision that would require the EPA Administrator, with the U.S. Fire Administration, to issue guidance on minimizing the use of firefighting foam and related equipment containing any PFAS by firefighters and other first responders.

However, I think it is important for Congress and the public to know just how effective this provision will be on the long-term health of our first responders. That is why I am offering an amendment that would require the EPA Administrator, in consultation with the U.S. Fire Administration, to brief Congress on the effectiveness of the guidance they are providing, to include recommendations for congressional actions that the Administrator determines appropriate to assist efforts to reduce exposure to PFAS by firefighters and other first responders.

This is a commonsense amendment to ensure that the Federal Government follows through on its commitment to protect the men and women who enter into harm's way to keep our communities safe.

Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. BRINDISI). The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I reserve the balance of my time.

Mr. GOLDEN. Mr. Chairman, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I understand the gentleman from Maine's problem with the airports. Fortunately, we have exempted airports from Superfund liability, and there is not going to be an ability for the gentleman's sites to get cleaned up.

Other than that, based upon this amendment, we think the basic amendment is unnecessary. There is no objection to having EPA report annually on firefighter foam guidance. This amendment, though, does not have an end to annual reporting, and firefighting foam with fluorine is supposed to be phased out in 3 years under the military specs. Maybe moving forward, there could be a deadline.

In addition, the amendment asks for recommendations to Congress to reduce exposure to PFAS and firefighting foam. This assumes that any remaining foam is hazardous, and meaningful safe is not examined, only exposure, a very nonscientific way to address the problem.

Plus, I would prefer that there be some discussion, considering who is writing the report. The foam effect in this is discussed. Let's not add incomplete reporting. An underlying bill places enough unnecessary burdens on the public.

Mr. Chairman, I ask my colleagues to vote "no" on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. GOLDEN).

The amendment was agreed to.

□ 2115

AMENDMENT NO. 18 OFFERED BY MRS. AXNE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 116-366.

Mrs. AXNE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, line 4, strike "2021" and insert "2024".

The Acting CHAIR. Pursuant to House Resolution 779, the gentlewoman from Iowa (Mrs. AXNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Iowa.

MODIFICATION TO AMENDMENT NO. 18 OFFERED BY MRS. AXNE

Mrs. AXNE. Mr. Chair, I ask unanimous consent that the amendment be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT TO RULES COMMITTEE PRINT 116-45

OFFERED BY MRS. AXNE OF IOWA

The amendment is modified to read as follows:

Page 37, beginning on line 1, amend subsection (e) to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section not more than—

“(A) \$125,000,000 for each of fiscal years 2020 and 2021; and

“(B) \$100,000,000 for each of fiscal years 2022 through 2024.

“(2) SPECIAL RULE.—Of the amounts authorized to be appropriated by paragraph (1), \$25,000,000 are authorized to be appropriated for each of fiscal years 2020 and 2021 for grants under subsection (a) to pay for capital costs associated with the implementation of eligible treatment technologies during the period beginning on October 1, 2014, and ending on the date of enactment of this section.

Mrs. AXNE (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Iowa?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentlewoman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

The gentlewoman from Iowa is recognized for 5 minutes.

Mrs. AXNE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have heard from many parents in my district worried about PFAS contamination in their drinking water. PFAS are manmade chemicals that can pose serious health risks and are of great concern to my constituents.

In large quantities, PFAS are dangerous and deadly to human health, and these forever chemicals are going to take a lot of work and innovation to clean up. These chemicals have been linked to cancer, effects on the immune system, and impaired child development.

While PFAS chemicals have not been found in the water supply in my district, there is a known contamination site. Our community has stepped up and is working together through a PFAS Working Group to address this contamination and conduct further testing, but it is past time that the Federal Government steps in, stops the production of these dangerous chemicals, requires cleanup, and provides resources to ensure that our communities aren't left to fight this alone.

Our public water utilities provide a critical service to our communities by ensuring families have safe and clean drinking water. However, without proper support, many water utilities won't be able to afford the necessary upgrades or would be forced to put the costs back on the backs of their community.

I am glad that this legislation creates a grant program to provide funding for water utilities to upgrade their drinking water systems in order to effectively remove PFAS. The PFAS Infrastructure Grant Program will ensure utilities have the resources they

need to protect our water systems without burdening the communities they serve with an unaffordable expense.

However, as the bill is written now, the PFAS Infrastructure Grant Program would only be authorized for 2 years. Our communities need more flexibility and time when deciding the best way to upgrade their water infrastructure and to combat PFAS.

My amendment would extend the PFAS Infrastructure Grant Program for an additional 3 years, allowing water utilities time to properly address their needs, test their water, and request funding, as necessary.

Additionally, my amendment would increase the funding available by \$300 million over that 3-year period. By more than doubling the current authorized amount, my amendment would ensure there are enough funds available so utilities can afford these necessary upgrades without negatively impacting the critical work that they do.

My State of Iowa also has many rural drinking water systems that don't have the scale to afford massive infrastructure costs. We see, time and time again, that smaller water systems are unable to remove hazardous and dangerous materials simply because of cost barriers. I am pleased that the underlying bill prioritizes small drinking water systems, and my amendment ensures the program has enough funding so no community is left behind.

This legislation is an important step to ensure Iowa families have access to safe drinking water without these harmful PFAS chemicals. My amendment strengthens the PFAS Infrastructure Grant Program, and I urge a “yes” vote.

Mr. Chairman, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chair, I reserve the balance of my time.

Mrs. AXNE. Mr. Chairman, I thank the gentleman for his support of the amendment. I am glad there is bipartisan support to ensure that our communities have the drinking water and resources they need to protect that.

Mr. Chairman, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I thank my colleague. I rose in opposition, just so she understands that I will be speaking in opposition to the amendment. I appreciate the kind words.

Mr. Chair, I wish she would have been here when the Rice amendment was on the floor, which has been passed and added to the bill, which would now allow the rich communities that have already paid for their modifications at great expense to be able to dip back into these funds at the expense of rural communities. That was an amendment we passed earlier.

Mr. Chair, under this legislation, EPA is supposed to issue a national primary drinking water standard for PFAS, but PFOA and PFOS at a minimum. Once this is done, communities that are disadvantaged—and I am from rural Illinois, 33 counties—one, assistance for installing technology are eligible for the drinking water State-revolving loan programs.

This amendment creates a double-dipping opportunity for communities when the main focus of the Safe Drinking Water Act State revolving fund is to help struggling systems meet the mandate it imposes to protect public health.

More practically, because of budget allocations that the House appropriators are supposed to operate under, increased capitalization grants will suffer. Money, to the tune of \$75 million, will be diverted to this particular PFAS grant program at the expense of the State revolving fund.

Communities, especially rural communities, not only with PFAS but other compliance and health problems as well, could and will likely be a loser, so that is why I rise in opposition to the amendment.

Mr. Chair, I encourage my colleagues to vote “no,” and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from Iowa (Mrs. AXNE).

The amendment, as modified, was agreed to.

Mr. TONKO. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. DINGELL) having assumed the chair, Mr. BRINDISI, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 535) to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, had come to no resolution thereon.

IMPEACHMENT HOLD

(Mr. SPANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SPANO. Mr. Speaker, if there was any doubt that last month's impeachment vote was purely political, there shouldn't be now.

Throughout the partisan impeachment inquiry, we were told that it was critical to move quickly because the threat of waiting was too great. The Schiff report even said: “We cannot wait.”

In the interest of speed, any hope of fairness was discarded. Rules were broken. Democrats couldn't wait on a minority hearing, breaking House rules

that afforded us that right. Democrats couldn't wait on the courts to obtain additional testimony. But Speaker PELOSI continues to hold the articles from the Senate in an attempt to dictate the terms of the trial to Leader MCCONNELL.

The Constitution grants the Senate the sole power to try all impeachments, not the Speaker.

Democrats voted to impeach the President for abuse of power and claim he is a threat to the Constitution, but look at what you are doing. You are trying to take the Senate's constitutional power for your own political gain.

Follow the Constitution you spoke so much about. Transmit the articles to the Senate so that they can undertake their constitutional responsibility.

The SPEAKER pro tempore (Mr. BRINDISI). Members are reminded to address their remarks to the Chair.

IN CELEBRATION OF GEORGE STEVENS' 100TH BIRTHDAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, tonight, I rise to celebrate a dear man in northern California from the town of Palo Cedro in Shasta County. George Stevens celebrated his 100th birthday on December 28.

Mr. Speaker, I had the pleasure of being able to stop by and spend time with George and his family at the event at the Palo Cedro Community Center, to celebrate with him and recognize, also, his service to our country, which is pretty amazing.

George is a Pearl Harbor survivor. He was there in the Army at the base there during the Pearl Harbor attack. Later, if that wasn't enough, he ended up being deployed to Europe, where he was at the Normandy invasion later on in 1944. And if that wasn't enough, a few months later in the winter, he fought at the Battle of the Bulge.

None of us would have the freedom we have if it weren't for people like George and all of his comrades who were there in that war preserving freedom for us and so many others with that sacrifice.

He is a true patriot, a great American, and he is a guy that still drives and does his home repairs around his place there in Palo Cedro.

Mr. Speaker, we are really proud of George and wish him a happy birthday. I am glad I got to spend time with him and his family.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 34 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, consistent with the statement that was

just made about BRIAN FITZPATRICK, I will be missing tomorrow's votes. If I were here, I would vote "no." There is too much good that is being done with the PFAS, and I would vote "no."

But I will be attending the funeral of a former Member of Congress, a great patriot, a friend, just a wonderful person, Michael Fitzpatrick, and it was an honor to serve with him in this body.

Obviously, we have had a lot of discussion about Iran, Soleimani, his death, the death of so many that he caused, and his role in being head of the IRGC, so I thought it would be helpful if we learned a little more for those who haven't.

It helps, I found, profoundly, if people know what they are talking about, and it seems there has been a whole lot of talking and not a lot of knowledge about what is going on with Iran.

Many of us remember, and I sure remember because I was in the Army at Fort Benning at the time, when our Embassy in Tehran was attacked initially, it was said by the Iranian leaders that the students attacked the Embassy; and after days of President Carter doing nothing but begging for them to let our people go, they realized that we were not going to do anything, and so they began to say: We have the hostages.

I always thought at the time, paying close attention to the news back in those days, that by saying the students did this that the Iranian leaders were giving themselves a back door if we had had a President who had put his foot down and said: Either you get them released, or we are going to come get them released ourselves; and if they are harmed, Iran will pay heavily.

I felt that was probably where they would say: Hey, we got them from the students. Here they are.

But that was the first clue after Vietnam that we were still a paper tiger. That is the way we were portrayed around the world. That is what we in the Army heard back in those days: Gee, all you have to do is drag out confrontation like Vietnam and they will turn tail and run.

That appeared to be consistent with us doing nothing about our Embassy, which, under international law, is American soil. It is American property. It is American housing. It was attacked, and we didn't do anything about it for a lengthy time, which sent the message to the new leader in Iran, the Ayatollah Khomeini, that we really were paper tigers. We were toothless. There was no power, no courage, and it encouraged them.

□ 2130

In fact, there was one effort at a rescue but, unfortunately, the military's hands were tied by people at the top.

I was told by a friend in the Army back at the time that the White House was the one that had them cut back the number of helicopters that would go into the desert across, around 500 miles or so of desert, with turbine en-

gines in the helicopters. And they knew, as my friend, General Boykin has confirmed, they had to get six to the landing area. Otherwise, it was an abort. And when it was clear only 5 were going to make it, that the mission was aborted.

The helicopter pilot may have gotten vertigo. The helicopter tilted. The blade went through a C-130 that was there to equip them for the trip in to rescue our hostages, and Americans were killed and left there in the desert at the staging area.

If there had been an adequate number of helicopters allowed to go in, they would have had sufficient number of six or more to make it. But the number going in was cut back, I was told, by the White House. They didn't want it to look like an invasion.

I am proud we have got a President that is not worried about it. I mean, I have asked him about this before, and he is more concerned about protecting our American treasure, our American military members; and he wants to commit whatever our military needs to get the job done. That is a far cry from where we were in the late 1970s.

In fact, I do recall President Carter, he had turned his back on the Shah. It didn't sound like the Shah was a great person, a great humanitarian at all, but at least Iran and the area were not at war with us at that time.

But when President Carter turned his back on the Shah, it opened the door for him to be overthrown. Apparently, people in the Carter White House did not give adequate thought to what happens when the Shah is gone, because what happened was the Ayatollah Khomeini.

And President Carter, as I recall, welcomed the Ayatollah Khomeini back in charge of Iran—he had not been in charge before—but welcomed him back to Iran, and proclaimed he was a man of peace. It could not have been a more ignorant welcome to the man that would start Iran on the course to be the greatest source of terrorism in the world.

So thank you very much to the Carter administration. Great job. You brought in, allowed in people who have continued to kill Americans at a rate greater than anybody else.

They have helped Afghanistan. That was a shock when we found that out. They have helped Sunnis, they have helped Shia. And normally, that doesn't happen, but they are so dedicated to destroying the Great Satan, America, in their view, and destroying the Little Satan, Israel, that we have to take them seriously. Too many Americans have been killed as a result of ignorance or optimism unjustified.

But this is a study done from the Jerusalem Center for Public Affairs, a very good study done, and it gives us a lot of information about Iran. It points out that Iranian military action, often working through proxies, uses terrorist tactics; has led to the death of well over 1,000 American soldiers in Iraq and

Afghanistan over the last decade and a half.

They point out that the explosively formed penetrators—a lot of people are familiar with the IEDs, but these are EFPs, explosively formed penetrators, a shaped charge designed to penetrate armor—that these are often camouflaged as rocks and were identical to those employed by Hezbollah against Israeli forces.

In 2006, the British Telegraph revealed that three Iranian factories were mass producing the roadside EFP bombs used to kill soldiers in Iraq.

In 2007, American troops discovered over 100 Austrian-made Steyr HS .50, 50-caliber sniper rifles, in Iraq. They can pierce all in-service body armor from up to a mile and penetrate U.S. armored Humvee troop carriers.

I fired a 50-caliber sniper rifle at Quantico. It is amazing how powerful they are.

But, unfortunately, they were found in Iraq, and they had apparently come from an Austrian manufacturer, but they were bought by Iran, and supplied by Iran, apparently, to Iraq to help kill American soldiers.

Iran also paid Taliban fighters \$1,000 for each U.S. soldier they killed in Afghanistan. In fact, the *Sunni Times* reported that a Taliban operative received \$18,000 from an Iranian firm in Kabul as reward for an attack in 2010 that killed several Afghan government troops and destroyed an American armored vehicle.

Iranian President Rouhani's so-called moderation, was displayed when he appointed Brigadier General Hossein Dehghan to be minister of defense. He had played a key role in the October 1983 suicide bomb attacks in Beirut, in which 241 U.S. Marines and 58 French paratroopers were killed.

And of course, Dehghan, apparently was replaced previously, in 1998 with a guy named Soleimani, who is with us perhaps in spirit only now, thanks to our current President and the ability of our United States military.

Anti-Americanism helped fuel the 1979 Islamic revolution in Iran, a violent anti-American doctrine that challenges any role for America in the Middle East, it has been, and remains the central focus of Iranian foreign policy.

Since the revolution, Iran has waged and continues to wage war against the United States and its allies. Unfortunately, though, Iran has been at war with the United States for 40 years now, since 1979, for sure—well, really, since the Ayatollah took over and President Carter welcomed him as a man of peace. He has not been a man of peace. He has been at war with the United States.

The report points out the Islamic Revolutionary Guard Corps, IRGC—people hear that term quite a bit, but that was founded by Ayatollah Khomeini shortly after the overthrow of the Shah at the onset of the Islamic Revolution in 1978–79.

Iran's RGC has morphed from its initial, mainly ideological, composition

into a particularly powerful organ of Iran's political system, the upper echelons of which tend to be drawn from the ranks of the IRGC. They are developing an increasing lethal system such as advanced naval mines, coastal defense, anti-ship cruise and ballistic missiles and attack craft.

The IRGC boasts a paramilitary unit comprised of 10 to 20,000 individuals known as the Quds Force. That was what Soleimani commanded and was using strategically, killing Americans, as many as he could.

The strategic objective of the IRGC-QF is to subvert Iran's enemies and export the Iranian Revolution, a goal it attains largely by facilitating the delivery of weapons to pro-Iranian factions in Lebanon, Iraq, Syria, Persian Gulf States, Gaza, the West Bank, Afghanistan, and central Asia.

In 2007, the Treasury Department designated IRGC-QF as a terrorism-supporting entity.

The report is quite extensive. It goes on to point out many of the efforts, successful efforts to kill Americans, talking about the Khobar Towers in 1996 and many other attacks.

But it points out that in 1998, Major General Qasem Soleimani has led the IRGC-QF, in which time he has created branches focused on intelligence, finance, politics, sabotage and special operations. With a direct independent channel to Khomeini, Soleimani has successfully sought the assassination of political rivals, armed terrorist proxies, and directed a network of insurgent groups in Iraq that killed over 1,000 Americans. And that is just in Iraq. But we know more regarding what they have done in Afghanistan, in Lebanon, in Syria.

Mr. Speaker, I see I am joined by my friend, who has served his country honorably and well and made his way up to the rank of general. He knows a great deal about war in Iraq and Afghanistan.

I yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the gentleman from Texas for taking the time to discuss this with the American people and allowing me to be part of it. I saw the gentleman and I didn't want him to have to carry the freight alone.

There was a lot to be said today, and probably neither he nor I got to say everything we wanted to say about the proceedings over the last couple of weeks. And it frustrates me that our colleagues, right here in the House of the Congress will say, America assassinated General Soleimani.

You can put a general's rank on a puppy dog, or a rabbit, or you name it, on a car or a truck. This guy is a terrorist, no matter what he is wearing. He is a terrorist from a terrorist state, and that is his claim to fame. That is who he is. Responsible for the deaths of hundreds, if not thousands of Americans, and certainly responsible for the deaths and maiming of thousands of Americans.

And when they say, well, this President is starting a war. I wonder to myself, my goodness, where have you been for the last 40 years? Since 1979, right?

The gentleman knows this. LOUIE GOHMERT knows this, right?

We were all present and watched when Iran punched America in the face 40 years ago. It hasn't stopped.

So finally, after 40 years of appeasement—and the gentleman knows this well, because he is a great student of history.

Appeasement didn't work in World War II, right? And the results, the results of appeasement, leading up to World War II, was the untold deaths and untimely deaths and miserable suffering deaths of millions of people across Europe because of appeasement.

Yet, we have tried it with Iran for 40 years. Iran is playing long ball. People say, well, they were complying with the JCPOA and we let them out of it. Well, of course they were complying. There was nothing in it that stopped them from doing everything they wanted to do, which was get to a nuclear armed program where their ballistic missile program caught up to it, right?

So for 10 years all they had to do is not let us inspect their military sites, because we didn't demand or require that in the deal. They could keep on doing whatever they are doing there. Perfect their ballistic missile capabilities so they can deliver the payload to Israel or the United States.

Oh, and in 10 years we will have nothing to say about it because we approved all of this. And then we have a terrorist nation that uses terrorism as statecraft with a nuclear missile.

What is our leverage then? We have none, right? We have got another North Korea, is what we have.

So it befuddles me that—I am sure our well-meaning colleagues on the other side think that this is going to work. Einstein, of course, he described the definition of insanity; it is doing the same thing over and over and over again and expecting a different outcome.

Appeasement is dangerous. It is provocative. It encourages despots to be despots. And so far, for 40 years, that is what we have watched.

And finally, the President gave them warning after warning. They said, well, it wasn't warranted. We didn't have enough intelligence.

There was open source reporting. They told us what they were going to do. Do you remember the 9/11 attacks, where there was open source reporting? And then, after the fact, everybody said, where were the intelligence and law enforcement agencies? Why weren't they talking?

Here, our enemy, who says they are going to kill the Great Satan and the Little Satan—that's what they say, right?

□ 2145

They tell us what they are going to do, yet it is not enough for some of my

colleagues who would have then said: Mr. President, what did you know and when did you know it? And why didn't you do something about it?

You know this, right?

Mr. GOHMERT. In fact, it took me too long to get around to reading Winston Churchill's books on World War II, but he points out that when Hitler first moved into the Sudetenland, they were so disorganized that it was a disaster, that if there had been any resistance put up at all instead of Chamberlain waving a piece of paper that this means peace in our time and we are going to let him go in and move in and take over this land, that if there had been any resistance at all because of all the material breakdowns, mechanical failures—Hitler was furious.

He said any resistance would have caused the defeat of the Germans moving in, and then the Germans would have been humiliated. They would have, in all likelihood, gotten rid of Hitler because he got too ambitious and exposed them to defeat. He would have been gone, and the world would have been spared the tens of millions of people who died as a result of trying to placate the man.

Just supporting what my friend the Congressman is pointing out, it doesn't usually work well, and it hasn't worked well. I know there are people who say all we were doing was giving Iran their money back when we gave them all that money. Money is fungible. We say maybe that specific money enabled them to continue supporting Hezbollah and terrorists who would attack and kill Americans.

Mr. PERRY. You are absolutely right. There is the moral equivalency. If we would just give the criminal, the terrorist, the murderer their money back, it is legitimate. It is theirs. Just disregard the fact that these are killing, murdering terrorists.

There is no moral equivalence. You don't give murdering terrorists money, whether it is theirs or anybody else's. You throw them in jail.

These people should probably legitimately be in The Hague for crimes against humanity, not getting their money back. Among all the things that frustrate me, that is one of them. The other one, of course, is this whole war powers thing.

We have had a year in this Congress, a year of escalation of Iran attacking American targets. In November and December alone, 24 or 25 times, over two dozen times, attacking American targets, but it was never an issue.

You know when else it wasn't an issue? The kind gentleman from Texas, it wasn't an issue for 8 years when almost 4,000 people under the Obama administration, terrorists, rightly were killed by drone strikes. You know what came from the other side of the aisle regarding the War Powers Act? Nothing.

We agree with President Obama on that. We didn't agree on many things as Republicans with President Obama,

but we agreed that eradicating terrorists was a good thing. He did it not in the war zone of Iraq, as approved by this Congress. He did it in Yemen, Somalia, and Pakistan, sovereign nations. The United States was going and killing people, including American citizens, outside the combat zone, but not a peep.

Yet today, with Iran watching, with our enemies watching, today is the day that we have to revise the War Powers Act and rein in a wayward President because he is trying to defend the country.

The good Representative from Texas, it has nothing to do with the War Powers Act. This resolution that is never going to go to the President was all about campaign messaging.

It is also messaging our enemies that we are divided in this country. We are not divided. We might be divided in this House, but we are not divided in this country.

Mr. GOHMERT. Mr. Speaker, I have an article here from January 2017, and the title from The Guardian is "America dropped 26,171 bombs in 2016. What a bloody end to Obama's reign."

I remember specifically because I had been to Libya, but as our Defense Secretary Bob Gates said in a live interview, Libya is not in our vital interest. We didn't have a real dog in that fight is what I am saying.

In fact, Qadhafi did have blood on his hands. He wasn't a good guy. But since the U.S. went into Iraq, he opened his doors and said: You tell me what weapons I can keep. I won't pursue nukes anymore.

He had not been a problem for us from that time forward, yet President Obama, without any authority from here, decides basically to go to war with Libya and with Qadhafi and dropping bombs on them. Why? Because he said NATO needs us to do this.

Mr. PERRY. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Pennsylvania.

Mr. PERRY. What I have heard on this House floor today is the President is capricious, irresponsible, doesn't have a plan, doesn't have a strategy. If the gentleman will please tell the audience, under the Obama administration and under Secretary Clinton, what was the strategy in Libya?

Mr. GOHMERT. There was no strategy in Libya other than to take out Qadhafi. Just like President Carter turning his back on the Shah and welcoming Ayatollah Khomeini in, when President Obama took out Qadhafi and, yes, he bombed him into oblivion.

We have seen reports that Qadhafi was begging, look, we will just go into exile, and he sent word to the President, if you will just let me leave in peace, I won't ever come back to Libya. Let's leave the country not destroyed, stop the bombing, and I will just leave, but never heard back from Washington.

The problem is that President Obama created a failed state in Libya, and it

has been the source of destabilizing all of North Africa. I don't know if there is any Member of Congress who has been allowed to have 2½ hours with the head of intelligence in Egypt as I have, but Egypt is paying heavily for President Obama's wrongheadedness in taking out Qadhafi and completely destabilizing North Africa.

Mr. PERRY. I wasn't in Congress. I didn't have the honor to be in Congress at that time. Maybe you were, or maybe you were more attuned to things, but I am just wondering, at that time, without a strategy, without a plan, firing on a sovereign nation, killing their leader.

Mr. GOHMERT. Actually, President Obama had our forces, NATO forces, but they were American. They bombed his convoy as he was leaving Libya. That allowed the locals—

Mr. PERRY. It facilitated, yes.

Mr. GOHMERT. Then he was assassinated there.

Mr. PERRY. So to make the correction absolutely clear, the United States did not kill the leader of Libya, but we helped facilitate it, in some respects.

Mr. GOHMERT. In criminal terms, he was certainly an accessory. He could not have been killed without President Obama's help.

Mr. PERRY. Because if you were present, did somebody in this House say that this President is reckless, that he is destabilizing the region, that we are assassinating or aiding and abetting the assassination of leaders of foreign countries? Was any of that occurring in this House?

Mr. GOHMERT. Yes, it was, but only on one side of the aisle, and that was this side because we were okay with President Obama defending Americans and American interests. But as Bob Gates said, that did not include Libya. Now, he walked that back some, but it was clear it was not in our vital interests.

What really got me, though, is I am hearing so many people who were here back then. They didn't offer one peep about the illegality of what President Obama was doing. Many of us did, but they didn't say a word. And that was outside our interests.

Killing Soleimani, that was protecting American lives. Going after Qadhafi didn't protect any American lives, and in fact, it has caused total disruption.

Mr. PERRY. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Pennsylvania.

Mr. PERRY. Did we have an Authorization for Use of Military Force in Libya?

Mr. GOHMERT. No.

Mr. PERRY. Was Libya an American combat theater?

Mr. GOHMERT. No.

Mr. PERRY. So when our good colleagues on the other side of the aisle say that this was illegal and unconstitutional, meanwhile knowing that the

Authorization of Use of Military Force, whether we agree with it or not it is in statute right now, in a combat theater where we are authorized to be by that AUMF, by votes of Congress, signed by a President, with an armed combatant who, by the way, as you probably know, is listed on the terrorist list by the United States and others and is not supposed to be out of Iran, his home country.

Mr. GOHMERT. Right.

Mr. PERRY. Yet, he was traveling to Syria and then through Iraq as a combatant and as a terrorist on the terrorist list. What is the point of putting terrorists on the list if you are not going to do anything about the terrorist on the list?

Mr. GOHMERT. Back to Libya momentarily, what President Obama did cost American lives, including at Benghazi. If he doesn't decide unilaterally whether NATO wanted it or not, he decided for America without any consent from Congress to go to war with Libya to take out their leader. It destabilized the country. It put American lives at risk that were not at that time, and it actually cost American lives.

I have an article here, and I have seen on Facebook some comments, but an "Iranian American activist outraged by 'propaganda machine' glorifying Soleimani."

There are so many Iranians who are speaking up now going: What is wrong with you people? This guy was a terrorist. He was killing Iranians. He was killing Americans. He was just merciless.

Mr. PERRY. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Pennsylvania.

Mr. PERRY. I just happened to notice on CNN about the time of the attack that they had the spokesperson for the Iranian Government during the hostage crisis speaking on CNN. NPR did something very similar. It is not just Iranian Americans who are unhappy with the situation, the propaganda not only by elected officials but by our media that is taking up the side of the enemy that wants to destroy America. It is disgusting.

Mr. GOHMERT. It really is, and it is just a shame that at a time when we ought to come together because, unlike Libya, we do have an interest in protecting American lives. We do have an interest in stopping people who want to destroy America. We ought to be united on this.

This is not a time to come in and try to condemn and belittle the President who did a good thing in taking out a terrorist.

One other thing, I don't remember anybody on the other side of the aisle here that made a peep when the President of the United States, President Obama, gave the order to kill al-Awlaki and his 16-year-old son. So al-Awlaki, he was an American citizen. Why, because his parents came over on

a visa, a student visa, had him, took him back, and taught him to hate America, but he got an American passport. He is an American citizen.

He had worked with some in the Obama administration, apparently worked with some in the Bush administration. But he was really an enemy of America.

President Obama gave the order not to take out a terrorist like Soleimani, who was in the process of stirring up terrorism and killing Americans, but this was an American citizen, and he gave the order to take him out with a drone strike, take out his 16-year-old son. Regardless of what al-Awlaki had done, his son was not a criminal, but President Obama just ordered him taken out and not one word from the other side of the aisle.

I would have thought we could have come together on that: Wait, before we take out American citizens, should we give them a trial or should we just let a President decide?

Now, I was okay with somebody that they had the evidence and that was in the process of being at war with us, but for heaven's sake, the people didn't raise not one peep about that.

Mr. PERRY. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Pennsylvania.

Mr. PERRY. Was there a briefing? Was there a consultation from the President to the leaders of Congress or to Congress? Was there adequate information substantiating the imminence of an attack? Was there any of that, or was there any human outcry that there was none of that and then a rush to judgment on the President's authority to do that from our good friends on the other side of the aisle?

Mr. GOHMERT. Well, the media helped them out. This is just an incredible time, and it is a time when free people ought to be able to come together and unite together in the cause of freedom.

As Natan Sharansky pointed out, people didn't think he and his wife would be getting back together after he was released from prison in Russia because she was more religious and he wasn't, and he said that is ridiculous. I got along with the guy for 12 years in my cell, and the only thing we had in common was a desire for freedom. That ought to bring us together here.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. KIRKPATRICK (at the request of Mr. HOYER) for today on account of medical emergency.

Mr. SIMPSON (at the request of Mr. MCCARTHY) for January 7 through January 10 on account of recovery from knee replacement surgery.

EXPENDITURES BY THE OFFICE OF GENERAL COUNSEL UNDER HOUSE RESOLUTION 6, 116TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, January 9, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to section 302(c) of House Resolution 6 (116th Congress) I hereby submit the attached statement "setting forth the aggregate amounts expended by the Office of General Counsel on outside counsel and other experts pursuant to this title on a quarterly basis" for the quarter beginning on October 1, 2019 and ending on December 31, 2019, for publication in the Congressional Record.

Sincerely,

ZOE LOFGREN,
Chairperson.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS—H. RES. 6

January 1–March 31, 2019	\$0.00
April 1–June 30, 2019	0.00
July 1–September 30, 2019	0.00
October 1–December 31, 2019	0.00
Total	0.00

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1611. An ACT to ensure appropriate prioritization, spectrum planning, and inter-agency coordination to support the Internet of Things; to the Committee of Energy and Commerce.

ENROLLED BILL SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2476. An ACT to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on January 6, 2020, she presented to the President of the United States, for his approval, the following bills:

H.R. 1424. To amend title 38, United States Code, to ensure the Secretary of Veterans Affairs permits the display of Fallen Soldier Displays in national cemeteries.

H.R. 2385. To permit the Secretary of Veterans Affairs to establish a grant program to conduct cemetery research and produce educational materials for the Veterans Legacy Program.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), the House adjourned

until tomorrow, Friday, January 10, 2020, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3455. A letter from the Assistant Secretary of the Navy, Manpower and Reserve Affairs, Department of the Navy, Department of Defense, transmitting a notice to Congress of the anticipated use of Selected Reserve units that will be ordered to active duty under the authority of Title 10 U.S.C. 12304b, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

3456. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Home Mortgage Disclosure (Regulation C) Adjustment to Asset-Size Exemption Threshold received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3457. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2019-0003; Internal Agency Docket No.: FEMA-8607] received January 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3458. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2019-0003; Internal Agency Docket No.: FEMA-8605] received January 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3459. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major final rule — Regulatory Capital Treatment for High Volatility Commercial Real Estate (HVCRE) Exposures [Docket ID: OCC-2018-0026] (RIN: 1557-AE48) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3460. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold [Docket No.: OCC-2019-0022] (RIN: 1557-AE68) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3461. A letter from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting the Department's final rule — Head Start Program [Docket No.: HHS-ACF-2019-0006] (RIN: 0970-AC78) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

3462. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Patient Protection and Affordable Care Act; Exchange Program Integrity [CMS-9922-F] (RIN: 0938-

AT53) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3463. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Start Date for Revised Photochemical Assessment Monitoring Stations [EPA-HQ-OAR-2019-0137; FRL-10003-87-OAR] (RIN: 2060-AU38) received December 23, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3464. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval, Partial Disapproval and Promulgation of State Plans for Designated Facilities and Pollutants; California; Control of Emissions from Existing Municipal Solid Waste Landfills [EPA-R09-OAR-2019-0393; FRL-10000-52-Region 9] received December 23, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3465. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report covering the period from September 10, 2019, to November 9, 2019 on the Authorization for Use of Military Force Against Iraq Resolution, pursuant to 50 U.S.C. 1541 note; Public Law 107-243, Sec. 4(a); (116 Stat. 1501) and 50 U.S.C. app. 2410(c)(b)(2); Public Law 102-182, Sec. 305(a); (105 Stat. 1248); to the Committee on Foreign Affairs.

3466. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3467. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

3468. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3469. A letter from the Assistant Secretary, Bureau Legislative Affairs, Department of State, transmitting the 2019 Annual Report on the Benjamin A. Gilman International Scholarship Program, pursuant to 22 U.S.C. 2462 note; Public Law 106-309, Sec. 304; (114 Stat. 1095); to the Committee on Foreign Affairs.

3470. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting two (2) notifications of a designation of acting officer, a nomination, or an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

3471. A letter from the Deputy Chief, U.S. Forest Service, Department of Agriculture, transmitting the final map and perimeter boundary description for the Sipsey Fork of

the West Fork Wild and Scenic River, in Alabama, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

3472. A letter from the Deputy Chief, U.S. Forest Service, Department of Agriculture, transmitting the final map and perimeter boundary description for the Rio Chama Wild and Scenic River, in New Mexico, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

3473. A letter from the Regulatory Documentation Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — List of Courts of Indian Offenses; Future Publication of Updates [201A2100DD/AAK001030/A0A501010.999900 253G] (RIN: 1076-AF46) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3474. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Tribal Energy Resource Agreements [192D0102DR/DS5A300000/DR.5A311.IA000118] (RIN: 1076-AF47) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3475. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Rights-of-Way on Indian Land; Bond Exemption [190A2100DD/AAK001030/A0A501010.999900 253G] (RIN: 1076-AF20; 1076-AF37) received December 20, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3476. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's Indian Country Investigations and Prosecution Report for calendar year 2018, pursuant to 25 U.S.C. 2809(b); Public Law 101-379, Sec. 10(b) (as added by Public Law 111-211, Sec. 212); (124 Stat. 2268); to the Committee on the Judiciary.

3477. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Engine Alliance Turbofan Engines [Docket No.: FAA-2019-0912; Product Identifier 2019-NE-33-AD; Amendment 39-21011; AD 2019-25-13] (RIN: 2120-AA64) received January 2, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3478. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer Airplanes [Docket No.: FAA-2019-0519; Product Identifier 2019-NM-089-AD; Amendment 39-21005; AD 2019-24-16] (RIN: 2120-AA64) received January 2, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3479. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2019-0675; Product Identifier 2019-NM-068-AD; Amendment 39-19815; AD 2019-24-12]

(RIN: 2120-AA64) received January 2, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3480. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Interim Guidance on Income Tax Withholding from Retirement and Annuity Distributions [Notice 2020-3] received December 30, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3481. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Guidance Under Section 355(e) Regarding Predecessors, Successors, and Limitation on Gain Recognition; Guidance under Section 355(f) [TD 9888] (RIN: 1545-BN18) received December 30, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3482. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Dividend Equivalents From Sources Within the United States [TD 9887] (RIN: 1545-BN76) received December 30, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3483. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only — Opening of the third six-year remedial amendment cycle for pre-approved defined benefit plans (Rev. Proc. 2020-10) received December 30, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SCOTT of Virginia: Committee on Education and Labor. H. R. 1230. A bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes; with an amendment (Rept. 116-372). Referred to the Committee of the Whole House on the State of the Union.

CONSENSUS CALENDAR

Under clause 7 of rule XV, the following motion was filed with the Clerk: Motion No. 11, January 9, 2020 by Mr. STIVERS on H.R. 4305

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. TITUS:

H.R. 5563. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture.

By Ms. CLARKE of New York:

H.R. 5564. A bill to amend the Communications Act of 1934 to provide for certain re-

quirements with respect to ownership and diversity reporting for television broadcast stations and cable operators, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUSH:

H.R. 5565. A bill to amend the Consumer Product Safety Act by repealing certain provisions pertaining to enjoining disclosure, increasing the minimum baseline civil penalties for violations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DAVIDSON of Ohio (for himself, Mr. GAETZ, and Mr. YOHIO):

H.R. 5566. A bill to amend the Internal Revenue Code of 1986 to allow all individuals to contribute to health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LONG (for himself and Mr. VEASEY):

H.R. 5567. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to consider market entry barriers for socially disadvantaged individuals in the communications marketplace report under section 13 of such Act; to the Committee on Energy and Commerce.

By Ms. BROWNLEY of California:

H.R. 5568. A bill to direct the Secretary of Veterans Affairs to provide abortion counseling to a veteran who has an unwanted pregnancy; to the Committee on Veterans' Affairs.

By Mr. DESAULNIER (for himself, Mr. KENNEDY, and Ms. MATSUI):

H.R. 5569. A bill to direct the Secretary of Health and Human Services to identify, review, and implement effective interventions in Head Start programs, and for other purposes; to the Committee on Education and Labor.

By Mr. KING of New York (for himself, Mr. QUIGLEY, Mr. CICILLINE, Mr. HECK, Mr. RUSH, Mr. KRISHNAMOORTHY, Mr. PETERS, Mr. HIMES, Mr. KILMER, Ms. KAPTUR, Mr. OLSON, Mr. KATKO, Mr. MARSHALL, Mr. AMODEI, Mrs. RADEWAGEN, Mr. WELCH, Mr. SUOZZI, Mr. KEATING, Ms. STEFANIK, and Mr. COLE):

H.R. 5570. A bill to direct the Secretary of Veterans Affairs to conduct a review of the deaths of certain veterans who died by suicide, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MEADOWS (for himself, Mr. BUDD, Mr. GOHMERT, Mr. PALMER, and Mr. SENSENBRENNER):

H.R. 5571. A bill to facilitate the use of performance-based standards by the Department of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TRONE (for himself and Mr. MEUSER):

H.R. 5572. A bill to establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families; to the Committee on Energy and Commerce.

By Mr. WALBERG (for himself and Mr. RUSH):

H.R. 5573. A bill to amend the Children's Online Privacy Protection Act of 1998; to the Committee on Energy and Commerce.

By Mr. BUDD (for himself, Mr. ZELDIN, and Mr. KUSTOFF of Tennessee):

H. Res. 782. A resolution encouraging public schools to design and teach a curriculum about the history of anti-Semitism and the Holocaust, and the vital and historic impor-

tance of the Jewish State of Israel; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRENSHAW:

H. Res. 783. A resolution honoring the members of the military and intelligence community who carried out the mission that killed Qasem Soleimani, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BYRNE (for himself, Mr. DUNCAN, Mr. BISHOP of North Carolina, Mr. FULCHER, Mr. WEBER of Texas, Mr. SMITH of Missouri, and Mr. MOONEY of West Virginia):

H. Res. 784. A resolution condemning and censuring Nancy D'Alessandro Pelosi, Representative of California's 12th Congressional District; to the Committee on Ethics.

By Mr. UPTON (for himself and Mrs. DINGELL):

H. Res. 785. A resolution supporting the designation of February 1, 2020, as "Blue Star Mother's Day"; to the Committee on Armed Services.

By Mr. CURTIS (for himself, Mr. BISHOP of Utah, Mr. STEWART, and Mr. MCADAMS):

H. Res. 786. A resolution supporting the designation of January 11, 2020, as "National Martha Hughes Cannon Day"; to the Committee on Oversight and Reform.

By Mrs. DAVIS of California (for herself and Mr. HURD of Texas):

H. Res. 787. A resolution recognizing January 2020 as "National Mentoring Month", and for other purposes; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. TITUS:

H.R. 5563.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. CLARKE of New York:

H.R. 5564.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUSH:

H.R. 5565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DAVIDSON of Ohio:

H.R. 5566.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LONG:

H.R. 5567.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. BROWNLEY of California:

H.R. 5568.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DESAULNIER:

H.R. 5569.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. KING of New York:

H.R. 5570.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. MEADOWS:

H.R. 5571.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 1, "The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .";

According to Article I, Section 8, Clause 3, the Congress "shall have Power . . . To regulate Commerce . . . among several States . . .";

According to Article I, Section 8, Clause 18, the Congress "shall have Power . . . To Make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."; and

According to Article IV, Section 3, Clause 2, the Congress "shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . . ."

By Mr. TRONE:

H.R. 5572.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALBERG:

H.R. 5573.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 states that Congress shall have the power to regulate commerce with foreign Nations, and among several States, and with the Indian tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 155: Mr. GOODEN.

H.R. 333: Mr. MURPHY of North Carolina.

H.R. 651: Mr. GOODEN.

H.R. 712: Mr. FOSTER, Mr. PAYNE, and Mr. DANNY K. DAVIS of Illinois.

H.R. 878: Ms. FINKENAUER.

H.R. 945: Mr. CARTWRIGHT.

H.R. 961: Ms. TORRES SMALL of New Mexico.

H.R. 1049: Ms. WILSON of Florida, Mr. SWALWELL of California, Mr. GOMEZ, and Ms. BROWNLEY of California.

H.R. 1074: Ms. CASTOR of Florida.

H.R. 1162: Mr. CÁRDENAS.

H.R. 1173: Mr. CONAWAY, Mr. CARTER of Texas, Mr. BABIN, Mr. CLOUD, and Mr. THORNBERRY.

H.R. 1228: Ms. TITUS.

H.R. 1230: Ms. WILSON of Florida and Mr. CASTEN of Illinois.

H.R. 1274: Mr. MICHAEL F. DOYLE of Pennsylvania and Mrs. LAWRENCE.

H.R. 1400: Ms. KAPTUR, Mr. JOHNSON of Georgia, Mr. COX of California, Ms. ESHOO, Mr. MEEKS, Ms. SHALALA, and Ms. PRESSLEY.

H.R. 1409: Mr. MCGOVERN.

H.R. 1450: Mr. GARCÍA of Illinois.

H.R. 1511: Mr. MEEKS.

H.R. 1643: Mr. QUIGLEY.

H.R. 1695: Ms. BARRAGAN.

H.R. 1711: Mr. PANETTA and Mr. COX of California.

H.R. 1737: Ms. JAYAPAL.

H.R. 1923: Mr. KHANNA and Mr. JEFFRIES.

H.R. 1987: Ms. SCHAKOWSKY.

H.R. 2148: Mr. MCEACHIN.

H.R. 2214: Ms. KAPTUR.

H.R. 2218: Mr. BOST.

H.R. 2219: Mr. BEYER.

H.R. 2271: Ms. CRAIG, Mr. UPTON, and Mr. GUTHRIE.

H.R. 2283: Mr. MCGOVERN.

H.R. 2456: Mr. LEVIN of Michigan, Ms. BONAMICI, Mr. LEVIN of California, Ms. HAALAND, Ms. DELAURO, Mr. YARMUTH, Mr. NEGUSE, Mr. KILMER, Mrs. LAWRENCE, Mr. NADLER, Mr. MASSIE, Mr. AMASH, Ms. BARRAGAN, Ms. JOHNSON of Texas, Mr. BERA, Mr. CICILLINE, Mr. CISNEROS, Ms. OMAR, Ms. KELLY of Illinois, Mrs. DEMINGS, and Mr. ENGEL.

H.R. 2616: Ms. BLUNT ROCHESTER.

H.R. 2694: Mr. NORCROSS, Mrs. NAPOLITANO, Mr. VARGAS, Mr. GONZALEZ of Texas, Mr. CUELLAR, and Mr. JEFFRIES.

H.R. 2777: Ms. CRAIG, Ms. NORTON, and Ms. ESCOBAR.

H.R. 2812: Ms. FINKENAUER and Mr. STAUBER.

H.R. 2850: Mr. GAETZ, Mr. BISHOP of Georgia, and Mr. NEGUSE.

H.R. 2895: Mr. DAVID P. ROE of Tennessee and Mr. COX of California.

H.R. 2958: Mr. GARCÍA of Illinois.

H.R. 2977: Ms. SEWELL of Alabama and Mr. SOTO.

H.R. 3043: Ms. DELBENE.

H.R. 3104: Ms. FOX of North Carolina and Ms. KENDRA S. HORN of Oklahoma.

H.R. 3219: Mr. COX of California, Mr. DEUTCH, Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. CROW, and Mr. GARAMENDI.

H.R. 3355: Mrs. WATSON COLEMAN.

H.R. 3361: Mr. PETERS.

H.R. 3374: Mr. CICILLINE and Mr. CISNEROS.

H.R. 3414: Ms. UNDERWOOD and Mr. LYNCH.

H.R. 3441: Mr. VEASEY.

H.R. 3657: Ms. BROWNLEY of California, Mr. KING of New York, Ms. STEFANIK, and Mr. ROSE of New York.

H.R. 3663: Ms. PRESSLEY.

H.R. 3760: Mr. DANNY K. DAVIS of Illinois.

H.R. 3794: Mr. KEATING.

H.R. 3843: Ms. SPANBERGER.

H.R. 3971: Mr. RUTHERFORD.

H.R. 3975: Mrs. LURIA.

H.R. 4056: Ms. KENDRA S. HORN of Oklahoma.

H.R. 4078: Mr. BOST, Ms. CRAIG, Ms. ESCOBAR, and Mr. MOONEY of West Virginia.

H.R. 4097: Mr. GRIJALVA.

H.R. 4111: Ms. KAPTUR.

H.R. 4138: Mr. GOHMERT.

H.R. 4142: Mr. DESAULNIER.

H.R. 4189: Mr. WALTZ, Mr. BUDD, Mrs. HARTZLER, Mr. RYAN, and Mrs. DEMINGS.

H.R. 4194: Ms. FINKENAUER.

H.R. 4228: Ms. FINKENAUER and Ms. LEE of California.

H.R. 4301: Mrs. DAVIS of California, Mr. COURTNEY, Mr. NORCROSS, Ms. WILD, and Ms. ADAMS.

H.R. 4305: Ms. JACKSON LEE, Mr. CROW, Mr. SMITH of Nebraska, Mr. SARBANES, Mr. CARBAJAL, Mr. STEWART, Mr. SCALISE, Mr. BLUMENAUER, Mr. COOPER, Mr. PETERS, Mr. KELLY of Mississippi, Mr. LOEBACK, Mr. GOODEN, Ms. BLUNT ROCHESTER, Mr. SHERMAN, Ms. KELLY of Illinois, Mr. ROONEY of Florida, Ms. MOORE, Mr. AUSTIN SCOTT of Georgia, Mr. RUSH, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mr. CLINE, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. LAWSON of Florida, Mrs. BEATTY, Mr. DAVIDSON of Ohio, Mr. PAYNE, Mr. SMITH of Missouri, Mr. NUNES, Mr. WALKER, Mr. RATCLIFFE, Mr. ENGEL, and Mr. COURTNEY.

H.R. 4309: Mrs. LURIA.

H.R. 4346: Mr. GRIJALVA.

H.R. 4364: Mr. GRIJALVA.

H.R. 4393: Mr. TRONE, Mr. RUSH, and Mrs. WATSON COLEMAN.

H.R. 4399: Mr. GREEN of Tennessee and Mr. GOSAR.

H.R. 4468: Mr. JOHNSON of South Dakota.

H.R. 4681: Mr. CLINE.

H.R. 4708: Mr. MCNERNEY and Ms. LEE of California.

H.R. 4709: Mr. MCNERNEY and Ms. LEE of California.

H.R. 4807: Mr. ZELDIN.

H.R. 4843: Mr. DESAULNIER.

H.R. 4890: Mr. LUJÁN.

H.R. 4907: Mr. PHILLIPS, Mr. ROUDA, and Mr. BRINDISI.

H.R. 4932: Mr. CASE.

H.R. 4960: Ms. DAVIDS of Kansas.

H.R. 4968: Mr. MCGOVERN.

H.R. 5050: Mr. KRISHNAMOORTHY.

H.R. 5117: Mr. GOSAR, Mr. BRINDISI, and Mr. KATKO.

H.R. 5138: Ms. DEAN.

H.R. 5185: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 5191: Mr. BLUMENAUER, Mr. LYNCH, and Mr. COURTNEY.

H.R. 5200: Mr. GONZALEZ of Ohio.

H.R. 5212: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 5243: Ms. MATSUI.

H.R. 5248: Mr. DESAULNIER and Mr. BEYER.

H.R. 5259: Mr. ARRINGTON.

H.R. 5260: Mr. NEGUSE.

H.R. 5297: Mrs. MILLER.

H.R. 5309: Mr. KHANNA, Ms. ESHOO, Ms. SPEIER, Ms. KELLY of Illinois, Mr. HASTINGS, Mrs. DEMINGS, Mr. ABRAHAM, Ms. SEWELL of Alabama, and Mr. HIGGINS of Louisiana.

H.R. 5319: Mr. PALLONE, Mr. SCHWEIKERT, and Mr. KHANNA.

H.R. 5337: Mrs. WATSON COLEMAN and Mr. RICE of South Carolina.

H.R. 5396: Mr. JOYCE of Ohio.

H.R. 5403: Ms. KUSTER of New Hampshire.

H.R. 5408: Mr. HUDSON.

H.R. 5417: Mr. ARRINGTON.

H.R. 5421: Mr. BALDERSON, Mr. YOHIO, and Mr. MOONEY of West Virginia.

H.R. 5424: Ms. MENG and Ms. ESHOO.

H.R. 5439: Mr. GOSAR.

H.R. 5445: Mr. MCCLINTOCK and Mr. GOSAR.

H.R. 5450: Mr. COHEN, Ms. MENG, and Mr. PERLMUTTER.

H.R. 5466: Mr. MCGOVERN.

H.R. 5490: Mr. NORMAN and Mr. FLORES.

H.R. 5492: Mr. BLUMENAUER.

H.R. 5543: Mrs. LAWRENCE, Ms. ESCOBAR, Mr. NEGUSE, Mr. KILMER, Mr. NADLER, Mr. YARMUTH, Ms. JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, Ms. BARRAGAN, and Mr. SOTO.

H.R. 5546: Mr. SENSENBRENNER and Ms. BASS.

H.J. Res. 66: Mr. BLUMENAUER.

H.J. Res. 76: Ms. KUSTER of New Hampshire, Mr. FOSTER, Mr. KILDEE, Mr. SARBANES, Ms. DELBENE, Mr. CARBAJAL, Mr. COX of California, Mr. PAPPAS, and Mrs. FLETCHER.

H. Con. Res. 20: Mr. BRADY and Mr. CARTER of Texas.

H. Con. Res. 83: Ms. SCHAKOWSKY, Mr. MCNERNEY, Mr. FOSTER, Ms. MUCARSEL-POWELL, Ms. LOFGREN, Ms. OCASIO-CORTEZ, Ms. CLARKE of New York, Ms. JUDY CHU of California, Mr. BLUMENAUER, Mr. LOEBSACK, Ms. BONAMICI, Mr. DESAULNIER, Mr. SARBANES, Mr. LYNCH, Mr. SMITH of Washington, Mr. LEVIN of Michigan, Ms. TLAIB, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. KIRKPATRICK, Mr. EVANS, Mr. KIM, Mr. RASKIN, Mr. MCGOV-

ERN, Mrs. BEATTY, Mr. SHERMAN, Mr. COURTNEY, Ms. DEAN, and Ms. CLARK of Massachusetts.

H. Res. 17: Mr. SHERMAN, Mrs. FLETCHER, Mr. CRENSHAW, and Mr. THOMPSON of Pennsylvania.

H. Res. 50: Mr. YOHO, Mr. BIGGS, Mr. SPANO, Mr. FULCHER, Mr. GUTHRIE, Mr. GOHMERT, Mr. LATTA, and Mr. GROTHMAN.

H. Res. 495: Ms. ESCOBAR and Ms. KELLY of Illinois.

H. Res. 620: Mr. MOONEY of West Virginia.

H. Res. 694: Mr. HORSFORD, Ms. BLUNT ROCHESTER, Mr. SCOTT of Virginia, Mr. CLEAVER, Mr. BROWN of Maryland, Mr. JOHNSON of Georgia, Mrs. HAYES, Mrs. LAWRENCE, Mr. RICHMOND, Mr. MCEACHIN, Ms. SEWELL of Alabama, and Ms. UNDERWOOD.

H. Res. 780: Mr. KELLY of Pennsylvania, Mr. MOONEY of West Virginia, Mr. BABIN, and Mr. TIPTON.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, THURSDAY, JANUARY 9, 2020

No. 5

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, who extends daily to our lawmakers' compassionate love, we praise Your Holy Name. In a fragile world where we often find ourselves waiting to exhale, You remain our shelter for every storm.

Lord, relieve the shadows of gloom as we face a world endangered by selfishness and sin. Bring our Senators from the fatigue of despair to the buoyancy of hope. Make their lives unflickering lights that scatter the darkness in our Nation and world. Give them an unflinching certainty that You are sovereign.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

IRAN

Mr. GRASSLEY. Madam President, over the past year, the Iranian regime has been increasingly aggressive, attacking oil tankers in the Persian Gulf, shooting down a U.S. drone, seizing a British tanker, attacking a Saudi oil facility, attacking U.S. military bases

in Iraq, and storming the U.S. Embassy in Baghdad.

The U.S. response to Iran's increasing provocations had been too measured, to the point that we risked Iran's leaders mistaking restraint on the part of America for weakness and encouraging further escalation.

Another attack that risked many American lives was in the works when President Trump ordered U.S. forces to take out the terrorist mastermind of the Iranian regime.

Now, think about it. Sometimes you have to stand up to a bully to get him to back off or else we might be inviting further aggression.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IMPEACHMENT

Mr. MCCONNELL. Madam President, first, this morning I want to associate myself with a statement made yesterday by one of our distinguished colleagues about the House Democrats treating impeachment like a political toy. Here is what the Senator said: "If it's serious and urgent, send them over. If it isn't, don't." That was our Democratic colleague, the senior Senator from California, the ranking member of the Judiciary Committee. She wasn't alone.

"It's time to get on with it." That is our Democratic colleague the junior Senator from Delaware.

"At some point, it's appropriate to send them and pass the baton to Senators." That is our Democratic colleague, the senior Senator from Connecticut.

"I think the time has past. She should send the articles." That is our Democratic colleague the junior Senator from Connecticut.

Now, this is a challenging time to create bipartisan agreement in the Senate on any subject, but the Speaker of the House has managed to do the impossible. She has created this growing bipartisan unity here in the Senate in opposition to her own reckless behavior.

The Senators may not agree on much, but it appears most of us still recognize the threat to our institution when we see one. Article I, section 3, says: "The Senate shall have the sole power to try all impeachments"—period.

The House can begin the process, and Speaker PELOSI's majority has certainly done that, but the Senate alone can resolve it. Yet, for weeks now, the House majority has blocked the Senate from fulfilling our constitutional duty. In a precedent-breaking display of partisanship, the Speaker has refused to let her own allegations proceed normally to trial unless she gets to hand-design various elements of our Senate process. In other words, the House Democrats already spent 12 weeks undermining the institution of the Presidency with a historically unfair and subjective impeachment, and now, for a sequel, they have come after the institution of the Senate as well. That is where we are.

The dwindling number of our Senate Democratic colleagues who remain complicit in this must realize what they are doing. Should future House majorities feel empowered to waste our time with junior varsity political hostage situations? Should future Speakers be permitted to conjure up this sword of Damocles at will and leave it hanging over the Senate unless we do what they say? Of course not.

This week, a majority of the Senate stepped forward to make it perfectly clear that this conversation is over. A majority of this body has said definitively that we are not ceding our constitutional authority to the partisan designs of the Speaker. We will not let

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

the House extend its precedent-breaking spree over here to our Chamber.

There will be no unfair new rule book written solely for President Trump. The basic organization of the first phase of this trial will track the phase one of the Clinton trial, which all 100 Senators voted for in 1999. I have said for months that this is our preferred route.

By the way, that is exactly what the American people want. Seventy-seven percent told a Harvard-Harris survey that the basic outline of a Clinton trial, reserving the witness question until later in the proceedings, ought to be good enough for this President as well. Fair is fair. In the same survey, 58 percent of Americans said they want Speaker PELOSI to do her job and send the articles to the Senate rather than continue delaying.

It makes sense that American families have lost patience with this act just like we Senators have lost patience with it because this is not just some intramural tiff between the two Houses in our bicameral legislature. This recklessness affects our entire country.

When you take a step back, what has really happened over the last 3 weeks? What has happened? When you take a step back from the political noise and the pundits discussing “leverage”—by the way, that never existed—what have House Democrats actually done?

This is what they have done. They have initiated one of the most grave and most unsettling processes in our Constitution and then refused to allow a resolution of it. The Speaker began something that she herself predicted would be “so divisive to the country,” and now she is unilaterally saying it cannot move forward to resolution.

It is bad enough that House Democrats gave in to the temptation of subjective impeachment that every previous House for 230 years has managed to resist. However unwise, that is their constitutional prerogative. They get to start it, if they choose, but they do not get to declare that it can never be finished. They do not get to trap our entire country into an unending “Groundhog Day” of impeachment without resolution.

Alexander Hamilton specifically warned against a procrastinated resolution of impeachments. In part, that is because our duly-elected President deserves a verdict, just like every American who is accused by their government deserves a speedy trial.

This goes deeper than fairness to one individual. This is about what is fair to the entire country. There is a reason why the Framers did not contemplate a permanently unsettled Presidency. That is true under any circumstances, but consider especially the circumstances of recent days. Even as the Democrats have prolonged this game, we have seen Iran escalate tensions with our Nation. We live in a dangerous world.

So, yes, the House majority can create this temporary cloud over a Com-

mander in Chief if they choose—if they choose—but they do not get to keep the cloud in place forever. Look, there is real business for the American people that the Senate needs to complete. If the Speaker continues to refuse to take her own accusations to trial, the Senate will move forward next week with the business of our people. We will operate on the assumption that House Democrats are too embarrassed—too embarrassed—to ever move forward, and we will get back to the people’s business.

For example, the Senate continues to process President Trump’s landmark trade deal, the USMCA, through our committees of jurisdiction. It passed the Senate Finance Committee this week by a landslide vote of 25 to 3, a major victory for the President and for working families. Now our other committees will continue their consideration.

And there is more. The epidemic of opioids, fentanyl, and other substance abuse continues to plague our Nation. Some colleagues have signaled they may raise privileged resolutions on war powers. The Senate has plenty of serious work to do for our country. So while the Speaker continues her irresponsible games, we will continue doing the people’s business.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Mr. MCCONNELL. 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. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

IRAN

Mr. SCHUMER. Madam President, yesterday the Senate received a classi-

fied briefing for all Senators from the Trump administration on the recent military operation that killed Iranian General Soleimani. Nearly the entire Senate attended, but only 15 Senators were able to ask questions before the administration decided they had to go. As many as 82 Senators were left hanging in the balance without a chance to answer their questions. It was a sight like none I have ever seen in my time in the Senate.

This is a crucial issue: war and peace. These were five of the leading people involved in the decision making, past, present and future. If they couldn’t stay to answer questions in a classified briefing, that is the ultimate disrespect to the Senate.

I have to tell you, it was not just Democrats who were upset and not just on the Republican side. Senator PAUL and Senator LEE were upset. Four or five Senators came over to me, in that room, when I made the request that they come back, and said: Please count me in on that.

As Secretary Pompeo was practically running out the door, I asked the White House representative if they would come back and finish the briefing. Pompeo said no, on his behalf, but the White House representative assured me the group would be back in short order.

I said: Within a week.

In the room, in the SCIF, he said they will definitely come back.

This morning, the White House told me they would explore coming back. They are already backing off, as usual. This is imperative. We are asking, in as polite a way as we can right now, Democrats and Republicans, that these five leaders—the head of DNI, the head of the CIA, the head of the Joint Chiefs, Secretary of Defense, and the Secretary of State—come before us within a week and answer the questions of the 82 Senators who were on the list and wanted to ask questions but couldn’t.

The scene at yesterday’s briefing was unacceptable, as Members of both sides of the aisle have attested. Eighty-two Senators—chairs, ranking members, appropriators, authorized—were snubbed by this administration on a matter of war and peace. They must return.

Again, this administration’s thwarting of the exquisite balance the Founding Fathers put in place between the Congress and Presidency is something that would make the Founding Fathers turn over in their graves and strikes at the core of what America is all about.

Why is it important we have this briefing? Because the danger of war is still very real. There seems to be a sense that Iran’s missile strikes on U.S. installations in Iraq, which resulted in no U.S. or coalition casualties, was a signal that our hostilities between our two countries are deescalating. If that is true, it would certainly be a good thing, but we all know Iran has many different ways of causing trouble in the Middle East. Over

the last decade, Iranian proxies have exported terror, fomented civil strife throughout the region. We know they may seek to strike the United States in many new ways, like through cyber attacks. Undoubtedly, there is still a danger Iran will retaliate for the death of General Soleimani in other ways, not only in the next days, where it is possible they could, but in the next weeks and months.

In a speech yesterday, the Iran Supreme Leader said the Iranian missile strike was just “one slap.” “Such military actions,” he continued, “are not enough as far as the importance of retaliation is concerned.” We have good reason to worry that Iran will do more, particularly, given the fact that they are a regime that has many hard-liners who hate the United States and will try to do us as much damage as they can. For other reasons as well, the risk of confrontation with Iran has grown more acute, some of it because of President Trump’s actions.

At the President’s order, we now have at least 15,000 additional U.S. forces in the Middle East—more forces than we had at the beginning of last summer—15,000 more. The Iranian public, which only weeks ago was protesting its own political leaders, has rallied behind the regime and is directing its entire ire at the United States. Iran has also announced that it will no longer abide by any restraints on its nuclear program that were imposed by the JCPOA, signaling its possible intent to pursue a nuclear weapon.

For all these reasons—that clearly Iran is still a great danger and the risk of war still looms—we need Senator KAINE’s War Powers Resolution more than ever.

The President has made several erratic and impulsive decisions when it comes to foreign policy that have made Americans less safe, put even more American forces in harm’s way. More American troops are now headed to the Middle East. We are not reducing our troop load; we are increasing it.

Iran is no longer constrained by limits on its nuclear program. We find ourselves even more isolated from allies and partners around the world who are shaken by the recklessness and inconsistency of the administration’s foreign policy. The Trump administration cannot even complete a congressional briefing. Congress, unequivocally, must hold the President accountable and assert our authority over matters of war and peace. That is what Senator KAINE’s resolution would do.

We will have a debate on the floor in the Senate. I urge my colleagues to support the Kaine resolution. There are many different ways we can make sure we don’t go into a war recklessly and without check.

Senator SANDERS today is introducing legislation, of which I am a cosponsor, that will hold back funding for such a war. We Democrats will continue to pursue ways to assert our constitutional authority and make sure

that before the administration takes any actions—because so many of their actions tend to be reckless and impulsive—they have to get the OK of Congress.

IMPEACHMENT

Madam President, on impeachment, I have to respond to Leader MCCONNELL’s hyperbolic accusations that the Speaker is trying to dictate terms of the Senate trial. I know the Republican leader must be upset he cannot exert total control over this process, but Speaker PELOSI has done just the right thing. I can understand why Leader MCCONNELL is so frustrated. If the Speaker had sent the Articles of Impeachment over to the Senate immediately after they passed, Senate Republicans could have moved to dismiss the articles. There was a lot of talk about that a while ago. There wouldn’t have been a fair or even a cursory trial, and they might have even tried to dismiss the whole articles before Christmas. Instead, over the past few weeks, not only have they been prevented from doing that, there have been several crucial disclosures of evidence that appear to further incriminate the President, each disclosure bolstering the arguments we Democrats have made for a trial that features the relevant witnesses and documents. That has been Speaker PELOSI’s focus from the very beginning and has been my focus from the very beginning: getting a fair trial that considers the facts and only the facts. As I have said repeatedly on this Senate floor, as Joe Friday said in “Dragnet,” “Just the facts, ma’am.”

The Speaker and I are in complete agreement on that point, and because the Republican leader has been unable to bring up the articles and dismiss them or stampede through a trial over the Christmas period, the focus of the country has been on witnesses and documents.

Leader MCCONNELL will do everything he can to divert attention from that focus on witnesses and documents. He knows his Senators are under huge pressure not to just truncate a trial and have no evidence; that it will play very badly in America and back home in their States. He is a very clever fellow, so he doesn’t just say no. He says: Let’s delay this for a while and see what happens.

I have little doubt most people who follow this—most Republicans probably quietly—have little doubt that Leader MCCONNELL has no interest in witnesses and documents, no interest in a fair trial. When we say “fair trial,” we mean facts; we mean witnesses; we mean documents.

When the impeachment trial begins in the Senate, the issue will return to witnesses and documents. It has been out there all along but will come back even stronger. That question will not be decided, fortunately, just by Leader MCCONNELL. Every Senator will have to vote on that question. Those votes at the beginning of the trial will not be

the last votes on witnesses and documents. Make no mistake, we will continue to revisit the issue because it is so important to our constitutional prerogative to hold a fair impeachment trial.

The American people believe, overwhelmingly, and regardless of partisan affiliation, that the Senate should conduct a fair trial. A fair trial means that we get to hear the evidence, the facts, the truth. Every Presidential impeachment trial in history has featured witnesses and documents. The trial of the President should be no different.

The Leader has accused the Speaker of making up her own rules.

Mr. Leader, you are making up your own rules. Every trial has had witnesses. Will you support this trial having witnesses or are you making up your own rules to serve the President’s purpose of covering up?

The argument in favor of witnesses is so strong and has such common sense behind it that my Republican colleagues cannot even argue against it on the merits. They can only say: We should punt the question. Maybe we will decide on that later, after both sides finish making their cases.

As already explained over and over again, but it is worth repeating, that position makes no sense from a trial perspective. Have both sides finish their presentations and then vote on whether there should be evidence? The presentation should be based on evidence, on witnesses, on documents. It should not be an afterthought.

I say to my Republican colleagues, this strategy of voting on witnesses later lives on borrowed time. To repeat, once the trial begins, there will—there will be a vote about the question of witnesses and documents, and the spotlight will be on four Republican Senators, who at any point could join Democrats and form a majority in favor of witnesses and documents. Four Republicans could stand up and do the right thing. Four Republicans could make a difference between a fair trial and a coverup. Four Republicans could do what the Founding Fathers wanted us to do: hold a fair trial with all the facts.

All Leader MCCONNELL can do right now is try to divert attention, call names—he is good at that—and delay the inevitable, but he can only delay it. Every single one of us in this Senate will have to take a stand. How do my Republican friends want the American people, their constituents, and history to remember them? We shall see.

I yield the floor.

THE PRESIDING OFFICER. The majority whip.

Mr. THUNE. Madam President, I think it is safe to say that most Republicans here in the Senate expect that at some point we will be receiving Articles of Impeachment from the House of Representatives, at which time we will conduct the Senate’s business. We will give the President a fair opportunity to be heard—something that was lacking in the House of Representatives.

I heard the Democratic leader's suggestion that the reason the House had to sit on this is because if they sent this over to the Senate, somehow the Senate would dismiss this earlier, immediately, or something along those lines. I have no idea where that comes from. That has never been the intention here for Republicans in the Senate. Republicans in the Senate know full well that we have a job to do under the Constitution in which we hear the case, hear the arguments, ask questions, and consider the possibility of additional evidence being presented. We have said all along that is how we intend to treat this. But we want to make sure it is a fair process—a process that isn't rushed, a process that isn't partisan, as it was in the House of Representatives.

We have gone so far as to suggest that the precedent to be used be the Clinton precedent—in other words, the precedent that was used during President Clinton's impeachment process back in 1999. At that time, there were 100 votes in the Senate—Republican and Democrat—supporting that particular process, which, as I pointed out, allows for both sides to make their arguments. The managers in the House of Representatives come over and make their case, and the President and his team have an opportunity to respond to that, and then there is an opportunity for Senators to propound questions. It seems to me, at least, that is a fair process.

So far, we haven't seen the articles; nor have we seen any cooperation from the Senate Democrats about a process that would do all the things I just mentioned. So the Democratic leader's suggestion that they needed to wait all this time because they have to somehow ensure that Republicans were not going to dismiss this is a false argument.

I would argue that the House of Representatives sitting on this and stalling it undermines the very point they made about why it was so important that they do this. If they rush it, if they do not hear some of the witnesses, if they do not subpoena some of the witnesses—some of the very people they want the Senate to subpoena and hear from—are people they could have subpoenaed and heard from.

They have now evidently concluded that—while at one time “We just have to get this through because this President is such a clear and present danger to the country. We have to do this fast and do it with a sense of urgency,” now, all of a sudden, the brakes have been put on and for no apparent reason other than, I would argue, they see political advantage in doing that.

But the fact is, the Senate will hear this at some point if we receive the articles, and we will employ a process—a fair process—that allows both sides to make their arguments and to be heard. Then we will allow the Senate to do its will, and whatever 51 votes in the Senate decide is ultimately how this will be disposed of.

I can tell you, contrary to the assertions of the Democrats, I believe people across this country are very weary and tired—frankly, in some ways exhausted—from having this thing just drag on. There are so many important issues we need to deal with.

We have a trade agreement that is teed up and ready to go—I hope we can vote on it here in the Senate—that has real relevance to the American people. There are farmers and ranchers in my State of South Dakota and across this country who desperately need to expand and open markets. We have depressed ag prices and low commodity prices in both grains and livestock, and we need to create opportunities for these farmers to get back on their feet and to restore profitability.

Instead of doing that, we are waiting for the Articles of Impeachment to come here. Assuming that they do, we will spend who knows how long on processing that at a time when there are so many pressing needs the American people care deeply about, not to mention the fact that in November of this year, we will have a Presidential election and congressional elections, where the people of this country can weigh in. They can have their voices heard.

That is how we ought to decide the differences we have in this country. If you have a difference with the President of the United States, you will have an opportunity to go vote in November of this year. If you decide you don't like him and you want to vote him out of office, you can do that. That is where the people believe this ought to be decided, not through a long, drawn-out, protracted process here in Washington, DC, where a bunch of Members of Congress, who should be working on important issues like energy, healthcare, economy, jobs and wages, and things like that, are bogged down with this impeachment process.

I believe the American people are weary. I think they know that starting in about 3 weeks in Iowa, they are going to start voting. We have a Presidential election that is underway, and it seems to me that people who have views they want to express can make their voices heard in the election, rather than having a long, drawn-out impeachment process, which, as I said earlier, the House of Representatives initiated in such a hurried way that they came up with some pretty weak tea-type Articles of Impeachment in a rush to try to get it over here. Now they are stalling it and not delivering it.

The Senate is not going to act, obviously, until the House acts and sends over those articles. When they do, we will ensure that, unlike the way they conducted themselves in the House of Representatives, it is a fair process that gives the President of the United States, who has been attacked through this process, a chance to respond and defend himself.

TRACED ACT

Madam President, it is safe to say that pretty much every American has been subjected to annoying and illegal robocalls. Who hasn't picked up the phone to discover it is an automated message telling you that you have won a trip to the Bahamas, which you can secure by passing along your credit card information, or asking for important banking information so your account won't be closed?

These calls are a major nuisance, and too often they are more than a nuisance. Every day, vulnerable Americans fall prey to ever more sophisticated scammers and have money or their identities stolen. Individuals who fall prey to scammers can spend months or years struggling to get their lives back.

I have been working on the issue of robocalls for several years now, first as chairman of the Senate Commerce Committee and now as chairman of the Commerce Subcommittee on Communications, Technology, Innovation, and the Internet.

I worked with Senator MARKEY to lobby the Federal Communications Commission to create a single, comprehensive database of reassigned telephone numbers so that legal callers could avoid contacting people who hadn't signed up for messages.

I have spent a lot of time examining ways to discourage illegal robocalling. While Commerce Committee chairman, I held a hearing with notorious mass robocaller Adrian Abramovich. His testimony made clear that current penalties for illegal robocallers were not sufficient. Illegal robocallers have been building the cost of fines into their activities, and so far, there has been no effective mechanism for criminal prosecution.

Based upon Abramovich's testimony and testimony from Federal enforcers, I developed the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or what we call the TRACED Act, along with Senator MARKEY. At the end of December, the President signed our bill into law. The TRACED Act provides tools to discourage illegal robocalls, protect consumers, and crack down on offenders.

As I mentioned earlier, criminal prosecution of illegal robocallers can be difficult. Scammers are frequently based abroad and can quickly shut down shop before authorities can get to them. I believe we need to make sure there is a credible threat of criminal prosecution and prison for those who use robocalls to prey upon the elderly and other vulnerable Americans. To that end, the TRACED Act convenes a working group with representatives from the Department of Justice, the Federal Communications Commission, the Consumer Financial Protection Bureau, State attorneys general, and others to identify ways to criminally prosecute illegal robocalling.

In the meantime, it expands the window in which the Federal Communications Commission can pursue

scammers and levy fines from 1 year to 4 years. The bill also makes it easier for your cell phone carrier to lawfully block calls that aren't properly authenticated, which will ultimately help stop scammers from getting through to your phone. The TRACED Act also tackles the issue of spoofed calls—where scammers make the call appear as if it is coming from a known number. TRACED addresses the issue of one-ring scams, where international scammers try to get individuals to return their calls so they can charge them exorbitant fees.

The bill directs the Federal Communications Commission to convene a working group to address the problem of illegal robocalls being made to hospitals. There are too many stories of hospital telephone lines being flooded with robocalls, disrupting critical lines of communication for hours.

Will the TRACED Act completely solve the problem of illegal robocalls? No. But it will go a long way toward making it safe to answer your phone again, and it will help ensure those who exploit vulnerable individuals face punishment for their actions.

I am grateful to Senator MARKEY for partnering with me on this legislation. The Washington Post praised the TRACED Act as an example of “good old-fashioned legislating.”

I am proud of the strong bipartisan support it received in both Houses of Congress. I look forward to monitoring the implementation of the TRACED Act and continuing to work to protect Americans from illegal and abusive robocalls.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, I ask unanimous consent that Senator JOHNSON and I be able to complete our remarks prior to the cloture vote.

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

NOMINATION OF PAUL J. RAY

Mr. PETERS. Madam President, today I rise to speak in opposition to the nomination of Paul Ray to be the next Administrator of the Office of Information and Regulatory Affairs, more commonly known as OIRA.

Although not many people outside of Washington have heard of OIRA, this office wields an important amount of influence over regulations that impact families, businesses, and communities in countless ways.

If confirmed, Mr. Ray would be responsible for reviewing health, labor, environmental, and many other protections, from safeguarding our source of drinking water to ensuring the cars we drive are safe.

In Michigan, communities like Flint, Oscoda, and Parchment cannot drink water from their own faucets without fear of ingesting toxic chemicals like lead or PFAS.

When meeting with Mr. Ray, I stressed the need to prioritize protections that provide safe and clean drink-

ing water and preserve our Great Lakes and other natural resources. I appreciate that Mr. Ray listened to my concerns. He is clearly very smart and passionate about administrative law and the rulemaking process. However, Mr. Ray is relatively new to Federal service and has relied primarily on his recent tenure at the agency to demonstrate his qualifications.

Given his prior role, the best way for us to understand what Mr. Ray will do if confirmed is to take a closer look at what he has already done. In order to thoroughly examine his qualifications, we asked Mr. Ray to provide information about his tenure, which included reviews of proposals that would weaken critical protections for workers, veterans, children, disadvantaged communities, and the environment.

Unfortunately, the nominee and the agency's Office of General Counsel have refused to meaningfully respond to committee members' request for information or fully participate in the Senate's efforts to meet our constitutional responsibilities. While Mr. Ray expressed a commitment to transparency, his inability to ensure compliance with the committee's requests—including for material that is routinely provided to the public in response to the Freedom of Information Act—raises serious doubts about whether he will cooperate with Congress if confirmed.

Given the unprecedented actions taken by this administration to roll back safeguards, it would be irresponsible to confirm Mr. Ray to OIRA without an opportunity to thoroughly evaluate his record. I have sought to carefully consider Mr. Ray's nomination, but due to this serious lack of transparency, I cannot support his confirmation. For that reason, I will be voting no, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise to ask the Senate to confirm the nomination of Paul Ray to be the Administrator for the Office of Information and Regulatory Affairs of the Office of Management and Budget.

OIRA, as this office is commonly called, is the Federal Government's principal authority for reviewing executive branch regulations, approving government information collections, and overseeing the implementation of government-wide policies related to information policy, privacy, and statistical practices. The OIRA Administrator is responsible for reviewing and approving both rules and then final rules to ensure agencies conduct appropriate cost-benefit analyses.

Under President Trump, OIRA has conducted between 200 and 400 rule reviews each year, and it has made it an administrative priority to reduce the regulations and to control regulatory costs. That includes the important

work of reviewing existing regulations to identify those that are outdated, harmful, or counterproductive and achieving this administration's initial goal of eliminating at least two regulations for every significant new one added.

The good news for our economy is that the administration far exceeded this initial goal by eliminating 22 outdated or harmful regulations for every new one added in 2017, and it has achieved a rate of 7½ regulations removed for each new regulation over the course of the administration. This has saved American families and businesses billions of dollars in compliance costs and has allowed businesses to spend that money and concentrate their efforts on growing their businesses and creating new products, services, and good-paying jobs.

I continue to believe this administration's dedication to regulatory reform and reduction is the single most important factor in the success of our economy, record low levels of unemployment, and growing wage levels, with wage growth being at its strongest at the lower end of our income spectrum.

It is important to note that Mr. Ray has already played a key role in this regulatory rationalization and its resulting economic success.

In his having previously led OIRA as its Acting Administrator and as its Associate Administrator, Mr. Ray has demonstrated the ability to carry out the office's multifaceted mission. In addition to his direct leadership experience at OIRA, he currently serves as the Senior Adviser to the Director of Regulatory Affairs, where he advises on regulations and the regulatory process. He also served as counselor to the Secretary of Labor, where he had a similar role.

Prior to these public service roles, Mr. Ray was an associate at Sidley Austin LLP, and he served as a law clerk to Supreme Court Justice Samuel Alito, as well as to Judge Debra Livingston of the U.S. Circuit Court of Appeals for the Second Circuit. Mr. Ray graduated magna cum laude from Hillsdale College and Harvard Law School.

Because of his background and demonstrated enthusiasm for dealing with regulatory matters, Mr. Ray is uniquely qualified to serve as the next OIRA Administrator. I am grateful to Mr. Ray for his willingness to serve, and I strongly encourage my colleagues to vote yes on his confirmation.

I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Paul J. Ray, of Tennessee, to be

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

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

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

The question is, Is it the sense of the Senate that debate on the nomination of Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The yeas and nays resulted—yeas 50, nays 45, as follows:

[Rollcall Vote No. 9 Ex.]

YEAS—50

Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Loeffler	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—45

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Coons	Manchin	Stabenow
Cortez Masto	Markey	Tester
Duckworth	Menendez	Udall
Durbin	Merkley	Van Hollen
Feinstein	Murphy	Warner
Gillibrand	Murray	Whitehouse
Harris	Peters	Wyden

NOT VOTING—5

Alexander	Moran	Warren
Booker	Perdue	

The PRESIDING OFFICER. The yeas are 50 and the nays are 45.

The motion is agreed to.

The Senator from Texas.

IMPEACHMENT

Mr. CORNYN. Mr. President, it has now been more than 3 weeks since the House passed two Articles of Impeachment against the President of the United States. It was a big day for them at the time and one they have been dreaming of and speaking of since the President was inaugurated nearly 3 years ago.

For as long as the House Democrats have been wanting to impeach the President, they spent only a short time on the impeachment inquiry itself. As a matter of fact, they rushed headlong into the impeachment process, and now they are trying to make up for the mistakes that Chairman SCHIFF and Speaker PELOSI made when proceeding in the first place.

For example, now they want to relitigate things like executive privilege and whether the testimony of other witnesses should be included in the Senate impeachment trial. In other words, the House wants to tell the Senate how to conduct the trial.

Well, the House had its job to do—and, frankly, I think mishandled it—but now they have no say in the way the Senate conducts the impeachment trial, when and if Speaker PELOSI decides to send the articles over here. Twelve weeks was all it took for House Democrats to come up with what they believed was enough evidence to warrant a vote on Articles of Impeachment. I think they are experiencing some buyers' remorse. During that 12 weeks, we repeatedly heard House Democrats say how urgent the matter was, seemingly using urgency as an excuse for the slapdash investigation that they did and that they now regret. When the House concluded their rushed investigation and passed two Articles of Impeachment, we expected those articles to be sent to the Senate promptly.

This will be only the third time in American history where the Senate has actually convened a trial on Articles of Impeachment, so this is kind of a new, novel process for most of us here in the Senate. I think there are only 15 Senators who were here during the last impeachment trial of President Bill Clinton. Most of us are trying to get up to speed and figure out how to discharge our duty under the Constitution as a jury that will decide whether to convict or acquit and, if convicted, whether the President should be removed. This is serious.

Here we are, about 11 months before the next general election. It strikes me as a serious matter to ask 535 Members of the U.S. Congress to remove a President who was voted into office with about 63 million votes. This is very serious.

Well, despite the House leadership and Members stating time and again before the Christmas holidays how pressing the matter of impeachment was, there hasn't been an inch of movement in the House since those Articles of Impeachment were voted on. Here

we are, more than 3 weeks later, and Speaker PELOSI is still playing her cat-and-mouse game with these Articles of Impeachment.

Last night, the Speaker appeared to have dug in her heels even deeper when she sent a letter to our Democratic colleagues about the delay. Following the majority leader's announcement that every Republican Senator supports using exactly the same framework that was used during the Clinton impeachment trial, the Speaker, as you might imagine, was not particularly happy because her gambit obviously didn't work. She has zero leverage and zero right to try to dictate to the Senate how we conduct the Senate trial, just as we had zero leverage and zero input into how the House conducted its responsibilities.

Speaker PELOSI told her caucus that the process is both unfair and "designed to deprive Senators and the American people of crucial documents and testimony." Clearly, she doesn't think those documents and testimony were crucial enough to be included in the House investigation in the first place, but I digress.

The Speaker is trying to make the most out of a very bad situation of her own creation and intentionally trying to mislead the American people into thinking this framework prevents any witnesses from testifying, which is a false impression. It is demonstrably false. These are the same parameters that guided the Clinton impeachment process, during which witnesses were presented by deposition, giving sworn testimony that was then presented by the parties.

In 1999, 100 Senators agreed to this model. You would think if this was fair enough for President Clinton, it would be fair enough for President Trump. To apply a different standard would be just that—a double standard.

All 100 Senators agreed during the Clinton impeachment trial to allow the impeachment managers to present their case, to allow the President's lawyers to present their case, and then to permit the Senators to ask questions through the Chief Justice and to get additional information, and then—and only then—decide whether additional witnesses would be required.

Under the Clinton model, and now under the model that will be used—the Clinton model that we will be using in the Trump impeachment trial—if Members felt like they needed more information, they could vote to hear from additional witnesses. That opportunity is still available to them under the Clinton precedent that will be applied in the Trump impeachment trial. That is exactly what happened in the Clinton impeachment trial. After the arguments and evidence were presented, Senators voted to hear from three additional witnesses who were then deposed and whose sworn testimony was then offered.

You know, it makes me a little crazy when people say that this is a question

of witnesses or no witnesses. There were about 17 witnesses, as I count them, who testified in the House impeachment inquiry. All of that evidence, such as it is, is available to the impeachment managers to offer here in the Senate. If, in fact, the Senate decides to do as the Senate did in the Clinton impeachment, authorize subpoenas for three additional witnesses or more, that still is the Senate's prerogative, which is not foreclosed in the least by this resolution.

Well, the Intelligence Committee alone held 7 public hearings with 12 witnesses that totaled more than 30 hours. Presumably, they are proud of the product—the evidence—that was produced during the course of those hearings or else they wouldn't have conducted them in the first place. This isn't a matter of witnesses or no witnesses, as some of our Democratic colleagues and the media attempts to characterize it; this is a matter of letting the parties to the impeachment decide how to try their case.

I had the great honor, over a period of 13 years, to serve as a State court judge. I presided over hundreds of jury trials during the course of my experience as a district judge. Never have I seen a model where the jury decides how to try the case. The jury sits there and listens to the evidence presented by the parties, and that is exactly what we are proposing here. So this idea of letting Senators decide how to try the impeachment managers' case or the President's case is something totally novel and unheard of.

Setting the rules on whom we hear from, when, and how—as the Speaker wants to do—on the front end makes no sense. Let me try an analogy. It would be like asking an NFL coach to outline every play in the Super Bowl—in order—before the game actually starts. Well, that is not possible. Having this discussion over Speaker PELOSI's demands on witnesses completely ignores the fact that this is simply not her prerogative.

Now, I know the Speaker is a powerful political figure. She rules the House with an iron fist, but her views simply have no weight whatsoever, in terms of how the Senate conducts its business, including an impeachment trial under the Constitution.

This has all been diversion and, frankly, a lot of dissembling and misleading arguments about things that just simply aren't true. The Constitution outlines a bicameral impeachment process, with each Chamber having its separate and independent responsibilities.

As I said, just as the Constitution gives the House “the sole power of impeachment”—that is a quote from the Constitution—it also gives the Senate “the sole power to try all impeachments.” Nowhere is found a clause granting the Speaker of the House of Representatives supreme authority to decide this process. Yes, she has been very influential leading up to the vote

of the Articles of Impeachment, over which the Senate had no voice and no vote. Now her job is done, such as it is, but for sending the Articles of Impeachment to the Senate.

Speaker PELOSI's refusal to transmit the articles unless her demands are met is a violation of the separation of powers, and it is an unprecedented power grab. I must say, I have some sympathy with the Speaker's position. Last March, she said that impeachment was a bad idea because it was so divisive, and unless the evidence was compelling and the support for the Articles of Impeachment was bipartisan, it wasn't worth it. Well, that was in March of 2019. Obviously, things changed, and the best I can tell is she was essentially forced by the radical Members of the House Democratic Caucus to change her position, and now she finds herself in an embarrassingly untenable and unsustainable position. This isn't entirely her fault.

While she has been playing games, though, with the Articles of Impeachment, she has been infringing, I believe, on the President's constitutional right to due process of law. Due process is based on the fundamental notions of fairness. That is what we accord everybody in a civil or criminal proceeding—due process of law. The Sixth Amendment, for example, guarantees the right to a speedy trial for every American, and it doesn't exempt certain cases no matter how high- or low-profile they may be. Now, while the Sixth Amendment right to a speedy trial may not, strictly speaking, apply to an impeachment trial because this isn't a civil or criminal case, the whole fundamental notion of fairness does apply: a right to a speedy trial.

It is clear that while Speaker PELOSI dangles these Articles of Impeachment over the President like a sword of Damocles, this is not fair to the President. It is not fair to the Senate. It is not fair, most importantly, to the American people. This distraction—this impeachment mania—has consumed so much oxygen and attention here in Washington, DC, that it has prevented us from doing other things we know we can and should be doing that would benefit the American people.

I came here on two occasions to offer a piece of bipartisan legislation that would lower out-of-pocket costs for prescription drugs by eliminating some of the gamesmanship in the patent system, only to find—even though it is a bipartisan bill, voted unanimously out of the Judiciary Committee—that the only person who objected to us taking it up and passing it was the Democratic minority leader. Those are the sort of games that, unfortunately, give Washington and Congress a bad name and a bad reputation.

I must say this is not just this side of the aisle that thinks the time is up for Speaker PELOSI to send the Articles of Impeachment over here. There is bipartisan agreement here in the Senate that it is time to fish or cut bait.

Speaker PELOSI's California colleague, our friend, Senator FEINSTEIN from California, said:

If we're going to do it, she should send them over. I don't see what good delay does.

Well, good for Senator FEINSTEIN.

Our friend and colleague from Connecticut, Senator BLUMENTHAL, said:

We are reaching a point where the articles of impeachment should be sent.

Senator MURPHY, his colleague from Connecticut, said:

I think the time has passed. She should send the articles over.

I think we all share the sentiment expressed by Senator ANGUS KING from Maine. He said:

I do think we need to get this thing going.

He has a gift for understatement.

It is high time for the Speaker to quit using these Articles of Impeachment as a way to pander to the most radical fringes of her party. The Members of the House have completed their constitutional role. They launched their inquiry. They did their investigation, such as it was, and they held a partisan vote. That is their prerogative. I don't agree with it, but that is their prerogative, and they have done it. The Speaker should send the Articles of Impeachment to the Senate without further delay so we can perform our responsibilities under the Constitution in a trial.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this is an interesting time. I was thinking that over the holiday break. I was home, and I talked to many Vermonters. These are Vermonters who are Republicans, Democrats, Independents, and across the political spectrum. All of them expressed concerns about how the Senate will handle the impeachment of President Trump or the trial. He has been impeached, but now it is the trial. I suspect that all 100 Senators had similar conversations.

I have been asked not just about President Trump's actions in Ukraine but also about how the Senate will conduct a trial and whether the Senate is even capable of holding a genuine, fair trial worthy of our constitutional responsibilities.

I would remind Senators that at the start of an impeachment trial, we each swear an oath to do impartial justice according to the Constitution and laws. During my 45 years in this Chamber, I have taken this oath six times, and I take this oath extraordinarily seriously. But I fear the Senate may be on the verge of abandoning what this oath means.

The majority leader has vowed a quick acquittal before we hear any witnesses. He has boasted that he is “not an impartial juror,” and he has pledged “there will be no difference between the President's position and our position as to how to handle this.” He ignores the fact that the U.S. Senate is a separate and independent body. Actually, what the majority leader said is

tantamount to a criminal defendant being allowed to set the rules for his own trial, while the judge and jury promise him a quick acquittal. That is a far cry from the “impartial justice” required by our oaths and the U.S. Constitution.

Given this, I understand why Speaker PELOSI did not rush to send the Articles of Impeachment to the Senate. A sham trial is in no one’s interest. I would say a sham trial is not even in the President’s interest. A choreographed acquittal exonerates no one. It serves only to deepen rifts within the country, and eviscerates the Senate’s constitutional role.

Now, how the Senate conducts the trial will be up to each of us. It is not up to one or two Senators, and it is certainly not up to the President. The duration and scope of the trial, including whether to call witnesses or compel document production, will be decided by a simple majority of the U.S. Senate.

I know many on the Republican side have said we should postpone any agreement on witnesses. They argue that the Senate did that for President Clinton’s trial, so why not now. That argument sounds reasonable—until you look at the facts. You know, facts are always troublesome things.

Today, following President Trump’s instruction, nine key witnesses—key witnesses—with firsthand knowledge of the allegations have refused to cooperate with the House investigation. Because of President Trump, they are told they are not allowed to testify. Now, compare that to the Clinton trial. Then, every key witness, including President Clinton, provided testimony under oath before the trial. Indeed, we had a massive record from the independent counsel to consider: 36 boxes of material covering the most intimate details of the President’s life. Just think of that, every witness testifying, as compared to the Trump impeachment, where he wouldn’t allow any key witness to testify, and even though he said he wanted to testify, of course he never did.

Now, even with all that, even with those 36 boxes of material, the Senate did end up hearing from three witnesses during the Clinton trial. Let me tell you how that worked. These are three witnesses who already had given extensive, voluminous testimony: Sidney Blumenthal, he testified before the grand jury for three days; Vernon Jordan, he testified before the grand jury for five days and was deposed by independent counsel; and Monica Lewinsky had testified for two days before the grand jury, was deposed by independent counsel, and was interviewed by the independent counsel 20 times.

Let’s be clear: Even Republicans, at the time, acknowledged they did not expect to learn new information from these witnesses. I know that Republicans and Democrats picked a small group of Senators to be there for their depositions. I was one of them. In fact,

I presided over the Lewinsky deposition. One of the House managers—Republican managers—said that “if [the witnesses] are consistent, they’ll say the same that’s in here,” referring to their previous testimony already before the Senate. Another told Ms. Lewinsky: “Obviously, you testified extensively in the grand jury, so you’re going to obviously repeat things today.” And the third House manager told Mr. Jordan, “I know that probably about every question that could be asked has been asked”—and, I might say, answered.

And indeed those Republicans were correct. We did not learn anything material from these depositions.

Now, unlike the claims made on the other side, the situation today could not be more different. The Senate does not have any prior testimony or documents from four key witnesses: John Bolton, Mick Mulvaney, Robert Blair, and Michael Duffey—all people who have significant information about what Donald Trump has been charged with. We don’t have a single document. We don’t have a single amount of testimony under oath. Why? Because the President directed them not to cooperate with the House, not to testify under oath, and not to say anything. If these witnesses had performed their legal duty, having been subpoenaed, and if they had cooperated with the House’s inquiry, we wouldn’t be in this position.

There is no question that all Senators—Republicans and Democrats alike—will benefit from hearing what those witnesses have to say. All of them have direct and relevant information about President Trump’s actions with respect to Ukraine. There is no good reason to postpone their testimony.

Take just one, the President’s former National Security Advisor, John Bolton. My question for all the Senators is this: We already know that, according to Mr. Bolton’s lawyer, “he was personally involved in many of the events, meetings, and conversations . . . that have not yet been discussed in the testimonies thus far.” We already know that includes a one-on-one conversation with the President about Ukraine aid. We already know that Mr. Bolton described the President’s aide’s efforts as “a drug deal.” And we now know that Mr. Bolton is willing to talk to us for the first time if asked. How can we say we are fulfilling our constitutional duty if we don’t even ask? How can we ignore such critical, firsthand testimony?

No matter how each side ultimately votes on guilt or innocence, the decision of whether to keep both the Senate and the American people in the dark would effectively make the Senate complicit in a cover-up. That would fall on the Senate, and that will shape our system of checks and balances for decades to come. It will haunt both Democrats and Republicans. Senate Republicans must not close the Sen-

ate’s eyes and cover its ears. We should be Senators. We should follow our oath to uphold justice.

I recognize, of course, that this is an era of deep partisan acrimony. But that was true during the Clinton impeachment trial, and it was true during the Johnson impeachment trial. The question that each of us has to answer now is whether we will allow the label of Democrat or Republican to matter more than our constitutional role as Senators. We are first and foremost U.S. Senators. There are only 100 of us to represent over 300 million Americans. That is why I believe the Senate itself is now on trial.

I have never seen a trial without witnesses when the facts are in dispute. I have tried many, many, many cases, both in private practice and as a prosecutor. I have never tried a case where there are no witnesses. More to the point, the Senate has never held a Presidential impeachment trial without hearing from witnesses. The Senate and the American people deserve, to have the full story. We shouldn’t be complicit in a cover-up.

I would not suggest to any Senator that his or her oath requires at this time a specific verdict—that is going to depend on the trial. But I strongly believe that our oath requires that all Senators behave impartially and that all Senators support a fair trial, one that places the pursuit of truth above fealty to this or any other President, setting the rules for the time to come.

The Senate has a job to do. It is not to rig the trial in favor of—or against—President Trump. Impeachment is the only constitutional mechanism that Congress has to hold Presidents accountable. Whether or not the Senate ultimately votes to convict, if the Senate first enables a cover-up with a sham trial, then it means it is placing one President above the Constitution. In doing so, the Senate would eviscerate a foundation of our democracy that has thus far survived 240 years. No one—no one—is above the law.

I see other Senators waiting to speak.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Florida.

IRAN

Mr. RUBIO. Madam President, a President of the United States is summoned by his or her national security team and informed that he or she has a limited window of opportunity in which to potentially prevent an attack that could cost the lives of dozens, if not hundreds, of Americans or U.S. troops. They are advised this by their national security team—the entire team—in unanimity. What would you do?

That is the most fundamental and difficult question that should be asked of anyone who seeks the Office of the Presidency. It is one of the most important things we need to know about those who seek the office and those who occupy it. It is the proverbial “3 a.m. call.”

It also happens to describe the choice before President Trump a few days ago. You wouldn't know that from listening to some of the rhetoric I see on television. The Speaker of the House just held a press conference in which the messaging implies that the strike on the terrorist, Soleimani, was the act of a reckless madman—a reckless and irresponsible escalation. The alternative argument is that, by the way, he should have consulted with us before doing it.

I reiterate: The entire national security team of the President, including the Chairman of the Joint Chiefs, General Milley, has been unequivocal, both privately and publicly, that he agreed with the assessment and he believed that this strike was necessary in order to protect the lives of Americans from a near-term attack.

I want to be frank. Anyone who left a briefing or goes around saying: Well, I don't think that that was true, frankly, is not questioning the President. They are questioning the 40 years of military service that General Milley has rendered this Nation and, frankly, questioning the judgment of the entire national security apparatus—all of the leadership of the national apparatus—of the United States of America. That question has been clearly answered by them.

It is interesting, too, that had the President not acted and, God forbid, American lives had been lost, we could very easily have been here this week talking about how the President should be removed. There would be a third article of impeachment for refusing to listen to the experts, for refusing to listen to his military advisers.

Ironically enough, just yesterday, before this entire Senate had the opportunity to be briefed by the national security team, I had a colleague of mine from across the aisle say: Everything is going to be fine if the President will just listen to General Milley and the military experts. But he did. Isn't that, ironically, at the crux of a lot of these arguments about Ukraine, that all of the experts—the career experts, the uniformed experts—disagreed with what the President was doing? Yet when he listens to what they say, somehow it is the act of a reckless madman. I think that speaks more to the hysteria that has overcome our politics and has now reached into the realm of national security.

It is also important to note when people say these things, that those who walk around talking about intelligence sometimes are not consumers of it on a regular basis or don't understand how it works. It is never about one piece. It is about patterns and trends and known capabilities and known intentions and about windows of opportunity. That is an important point to make.

As far as consulting with congressional leadership before taking this action, that is not how things like this develop. Very rarely do you have the luxury of time.

No. 1, I would start out by saying that there is no legal requirement. The President of the United States has no legal requirement, and, in fact, I believe has an imperative, inherent in the Office, to act swiftly and appropriately to the threat against the lives of Americans, especially American troops that he or she has sent abroad to defend this country's interests.

No. 2, it is unrealistic and not possible. Oftentimes, these windows of opportunity do not allow you the luxury of reaching some congressional leader in the middle of their ski trip or Christmas break, and even if you could, there is always the risk that the information would be disseminated and the window would close. So I am not sure if what they are asking for is even possible.

The other thing that is troubling is, if you listen to some of the rhetoric out there, you would think that the only two options with Iran are a full-scale diplomacy and capitulation to what they are doing or an all-out war. That is absurd, a false choice. It is a false choice.

The President has argued—he said it again clearly yesterday—that he is ready for serious—serious—and real talks toward how Iran becomes a normal nation and its clerical nation behaves in a normal and civilized way. In the meantime, he has an obligation—this President, a future President, and past Presidents—to protect America's interests and, more importantly, American lives and to do so through a concept of active deterrence.

What does that mean? Active deterrence means that the people who want to harm you decide not to because the cost of harming you is higher than the benefit of harming you. That is an important point here. The strike on Soleimani was not just about preventing an imminent attack. That, in and of itself, alone was reason to act, but the second thing that was important was reestablishing active deterrence.

For whatever reason, the Iranians have concluded that they could go further than they have ever gone before in directly attacking Americans or using their proxies to attack Americans. So much so that they tried—they failed, but they tried—and could have breached our Embassy compound in Baghdad and killed Americans, civilians, and diplomats, and our military personnel stationed there. They tried to. And they could have and want to launch lethal attacks to kill as many Americans as they possibly can because, for whatever reason, they concluded they could get away with it, that we would tolerate it. It was critical to the defense of this country, to our national interests, and to the lives of our men and women in uniform deployed abroad that we restore active deterrence.

Now, time will tell how much was restored, but, clearly, I believe some of it was restored. Even the comments

today of an Iranian commander—“Well, we shot missiles, but we didn't try to kill anybody”—are indicative of a desire to deescalate, at least for the time being.

The other thing I hear is this: Well, the President has no strategy. That is the problem. There is no strategy.

I think you could argue that they haven't done a good-enough job of outlining a strategy, but I don't think it is fair to say they have no strategy.

The strategy begins with a goal. The goal is pretty straightforward: a prosperous Iran that lives in harmony with its neighbors and does not have nuclear weapons or continues to support terrorism and terrorist groups. That is the goal.

How do you achieve it? By Iran's abandoning its desire for nuclear weapons and by no longer standing up these terrorist groups that, for over a decade or longer, have been killing Americans and trying to harm Americans, Israelis, and other allies.

How else do you achieve it? By imposing crushing economic sanctions, while leaving open the door for real—not fake, not talk for the sake of talk—diplomacy, but, at the same time, making it abundantly clear that you will deter, repel, and act against any effort to harm Americans.

All this talk about military conflict and U.S. actions overlooks the fundamental fact that what is happening here is that Iran has decided to respond to economic sanctions with violence. Their response to economic sanctions has been this: Can we get one of these terrorist groups using weapons that we give them to kill Americans? Can we put limpet mines on merchant ships? Can we attack the Saudis? That has been their response to economic sanctions: violence.

Presidents don't have the luxury of bluffing. You can't go around saying “If you kill Americans, there will be consequences,” and then they try to kill Americans—or, in the case of Iran, did—and do nothing about it because now what you have done is you have invited a committed adversary to do more of it—not just to tragically kill one brave American contractor but to kill dozens or hundreds of Americans in various spots throughout the world.

The last point I want to make is all this talk about an authorization for use of force. I want to begin by sharing my personal view. I believe the War Powers Resolution is unconstitutional. I think the power of Congress resides in the opportunity to declare war and to fund it. Every Presidential administration, Republican and Democrat alike, has taken the same position.

That doesn't mean we should never have an AUMF. I think our actions are stronger when it is clear that they have strong bipartisan support from both Houses of Congress. I also think all this talk about AUMFs is completely and utterly irrelevant to the case in point.

No. 1, under the Constitution of the United States—and the War Powers

Resolution, by the way—the President of the United States not only has the authority to act in self-defense but an obligation to do so. An obligation to do so. That is No. 1.

No. 2, it is especially true in this case, where the lives and the troops he sought to protect were deployed to Iraq on an anti-ISIS, anti-terrorism mission approved by Congress through an AUMF, an AUMF that states very clearly that one of the reasons we are allowed to use military force, as authorized by Congress, is to defend against attacks.

I don't believe there is a single Member of Congress who has the willingness to stand before the American people and say: I think, when we deploy troops abroad, they should not be allowed to defend themselves.

Not only do you not need an AUMF or congressional authority to act in self-defense, but the troops who were defending themselves here—and the troops we were defending in the Soleimani strike and preventing an attack against—are deployed pursuant to a congressional authorization.

Honestly, what I see here, in addition to the arguments I have already discussed about how ridiculous it is to portray this as the actions of a reckless madman who is escalating things, is an argument about when might you need an AUMF. Give us some theoretical, hypothetical scenario in which you might need an AUMF. The hypotheticals they are posturing are ones that this administration has never, never proposed and, frankly, haven't even contemplated.

No one is talking about an all-out invasion of Iran. If you were telling me the President is putting together plans to invade Iran, to go in and capture territory, to remove the Ayatollah and install a new government, I would say: All right, that is something that there should be a debate about.

Who is talking about that? I haven't heard anybody propose that. Yet, somehow, the House today is going to spend time on this. People have filed bills on this. Look, we can debate anything we want. People can file any bill they want. That is a privileged motion. It comes to the floor. Great.

By the way, no one said: Don't go around talking about this; just be quiet.

Perhaps it should have been stated more artfully, but the point that was being made, which is a valid point, is that, when the Iranians analyze responses to the United States, one of the things they look at is this: Do domestic politics and differences of opinion and divisions among American officials restrain what the President can do against us? You may not like it, but I want to be frank with you. They believe that our political differences in this country and that our disagreements constrain the President's ability to respond to attacks. They believe it limits his ability to deter. Now, hopefully the strike on Soleimani may have

reset that a little bit. That doesn't mean we shouldn't debate it, and I don't think you should ever tell Congress not to discuss these things. We have a right to. Frankly, everybody here has been elected by a constituency, so people can choose to raise whichever issue they want.

I also don't think it is invalid to point out that these internal debates we have in this country do have an impact on what our adversaries think they can get away with. It doesn't make anyone an appeaser or a traitor, but it is a factor I think people should recognize. That is all.

In closing, I would say, look, there was a time—I am not one of these people who pine for the golden era. It is funny. I hear people talking about the Clinton impeachment trial. Oftentimes people come to me and say: In the good old days, back in the nineties, when everybody got together and Congressmen were all friends—and I don't know what it was like then because I wasn't here, but I remind them that, in the golden days about which they often talk, we were impeaching Bill Clinton around here. They didn't do it on social media and Twitter and 24-hour cable news at the time, but there has always been friction in American politics.

One thing I can say that is evident is that there was a time in American politics that I hope we can return to, and that is a time which, when it came to issues of national security, there was some level of restraint because we understood, when it came to that, the people who would ultimately pay the price for overpoliticizing any issue, for reckless talk, and for unnecessary accusations were not the political figures. Presidents and Ayatollahs don't die in conflicts like these. Do you know who dies? The young men and women we send abroad, the innocent civilians caught in the middle, and the refugees who are forced to leave their homes as a result.

There are real-world, life-and-death implications. That is why it has long been American tradition that, when it comes to issues of foreign policy and national security, they were always treated just a little bit differently, with some deference. Even if you disagreed, you sort of tailored it in a way that you thought would not harm those interests.

I think that has been lost, probably, on both sides. I still make it a habit when I travel abroad not to discuss or criticize U.S. leaders at home, but I understand times have changed.

I would just say, in this particular case, I know that this Nation remains conflicted about the conflicts that led us into Iran and Afghanistan and that keep us in the region to this day. That is a valid, valid debate. I just don't think this looks anything like it. This is about a strike that every single member of the President's national security team, including the chairman of the Joint Chiefs, believes was necessary in order to prevent a near-term

attack against Americans that could be lethal and catastrophic.

This is about restoring active deterrents, effective deterrents, against future strikes, and I hope that we can bring that debate back to where it belongs so that, on matters of such importance, we can figure out solutions and not simple rhetoric.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

RECOGNIZING THE NSA

Mr. CARDIN. Madam President, I want to extend the thanks of all Members of the U.S. Senate and the American people to the men and women who are serving our Nation at the National Security Agency based at Fort Meade, MD, the Defense Special Missile and Astronautics Center. It has been in existence since 1964. It is a 24/7 operation. I mention that because it was the work done here in the State of Maryland—and I am proud to represent that State—that gave the early warning information that allowed us to get information to our American forces in Iraq and to the Iraqis that, literally, saved lives.

I want to thank them for their dedicated service. We have the best intelligence information and the best trained people protecting our Nation, and I just wanted to pause for one moment to thank those who are serving at the National Security Agency who are keeping us safe.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Madam President, shortly we will be considering the United States-Mexico-Canada Agreement, the USMCA. It updates and replaces the North American Free Trade Agreement, NAFTA. I support the USMCA and supported it earlier this week, when it passed the Senate Finance Committee on a strong 25-to-3 vote. This strong vote was possible because of the hard work of Democrats in the House and Senate to make this agreement the strongest, fully enforceable, pro-environment, pro-labor trade agreement the United States has ever entered into.

First let me talk about why I think trade is important. I would point out to my colleagues that the maiden speech I gave in the House of Representatives when I was first elected was on trade and the importance of trade agreements. I recognized how important the Port of Baltimore was to our economy and how important free trade and trade was to the Port of Baltimore. So, clearly, trade agreements are critically important to the people of Maryland, and they are important to this country.

First, international trade can lead to better economic outcomes. From leveling the playing field for American businesses to ensuring our trading partners have adequate labor standards to make competition fair, trade can be the catalyst for these outcomes. Second, trade can raise the standard of living for citizens in this country.

Tariffs can disproportionately harm lower income Americans. If the cost of things like milk, soap, or school supplies goes up because of higher tariffs, it doesn't mean these families will stop buying these essentials. It means they will have less to spend on other essentials they depend on to keep their families safe and healthy, like clothes and medicine.

Trade agreements allow us to ensure a zero or low tariff price for these items on which Americans depend, which raises the standard of living for all of us.

Third, trade is important to U.S. foreign policy. The world can be better, safer, and a fairer place when we are working with our allies. Trade agreements ensure the rest of the world starts to act a little bit more as we do, with our values.

This administration's harmful and nonstrategic trade policy has strained our relationship with our allies, including Canada and Mexico. I think it has been misguided and damaging to the future of our country, but this agreement has the potential to begin a healing process with our North American neighbors: Canada and Mexico.

As we move forward with trade agreements, it is important that our values are represented in those agreements, that we strengthen American values. I support good governance and protecting workers and our environment, and I am pleased that they are included in such agreements.

For more than 25 years since the enactment of NAFTA, our economy has changed dramatically, from the proliferation of the Internet, which has changed how businesses can easily be connected to the rest of the world, to how consumers shop, compare prices, and buy goods and services from all around the world, and it is clear that NAFTA is a trade agreement that didn't foresee these changes with our two largest trading partners. In addition, over time, we identified weaknesses in NAFTA and other free trade agreements that needed to be addressed.

All that is to say that NAFTA is overdue for an update. For the past 2½ years, the administration, congressional leaders, and our trading partners have been engaged in the process to update NAFTA to be a trade agreement for the 21st century. In late 2018, an agreement was reached between the United States, Canada, and Mexico. Importantly, reaching this agreement alleviated the threat of this administration to unilaterally withdraw from NAFTA.

The agreement reached in 2018 was, in my view, incomplete and largely just continued the existing NAFTA, but it did have some provisions important to me and my constituents in the State of Maryland.

Maryland is home to a thriving poultry industry. The agreement includes new market access to Canada for U.S. poultry. Maryland farms produced \$1

billion worth of chickens in 2017, surpassing that milestone for the first time. Our poultry industry production grew 12 percent from 2016 to 2017.

The growth in value came even as the amount of chickens produced on the Eastern Shore declined by about 10,000 pounds to about 1.84 million pounds. Maryland is the Nation's ninth largest producer of broiler chickens.

This additional market access is good for Maryland's poultry industry because it means more poultry produced in Maryland will make its way to Canada and Mexico, creating jobs and supporting the economy here locally.

The agreement also included a few provisions that are very important for small businesses. Most important to many small businesses is a provision that raises the level of the so-called de minimis customs and tariff treatment of goods. The de minimis system is important to small businesses. For example, small sellers who list their goods on eBay or Amazon frequently ship to consumers not in the United States. Under the de minimis system, if a shipment under the de minimis level crosses the border, it enjoys expedited customs and lower tariff treatment than larger shipments would.

Under this agreement, the United States agreed to increase its customs de minimis levels to \$800 for exports to Mexico and Canada, and Mexico and Canada have made favorable changes to their systems. As ranking member of the Small Business and Entrepreneurship Committee, this was a welcome change to ensure small businesses aren't bogged down by unnecessary redtape.

The agreement's small business chapter also includes support for small businesses to promote cross-border cooperation, tools for small businesses to identify potential opportunities and increase competitiveness, and public-sharing tools to promote access to capital. These are important issues to highlight for small businesses.

Finally, the initial agreement included a landmark achievement for the first time in U.S. trade history: It included a full chapter on anti-corruption.

During 2015, when the Senate was considering so-called fast-track trade promotion authority, under which the USMCA is now being considered, I authored a principal negotiating objective in the trade promotion authority legislation that requires any trade agreement the USTR negotiates to emphasize good governance, human rights, and the rule of law. These are our values. These values need to be reflected in our trade agreement. It is an important step toward a level playing field for trade with the United States for our farmers, our producers, and our manufacturers. We know our system is a fair system, but in so many other countries we deal with, that is not the case.

This principal negotiating objective really represents an enduring theme in

the way I approach trade. I believe we should use the economic power of the United States to advance human rights and good governance in other countries that may comparatively struggle on that front. I also believe we should not have favorable free-trade agreements with countries that do not believe human rights and good governance are important to uphold.

Because of my focus on this requirement in 2015 and thanks to USTR Ambassador Robert Lighthizer, the USMCA is a trade agreement that for the first time includes a chapter on anti-corruption and good governance. This is our first agreement that includes such a chapter, and I anticipate this will be the template for any future trade agreement involving the United States.

The USMCA's anti-corruption chapter includes a number of commitments on transparency, integrity, and accountability of public institutions and officials.

First, on anti-corruption laws, under the USMCA, countries are required to outlaw embezzlement and solicitation of bribes by public officials and must make it a criminal offense for anyone to offer bribes to public officials to influence their official duties or to officials of foreign governments or international organizations to gain a business advantage.

I know that sounds like a no-brainer. Why wouldn't all countries already have those types of laws? But the reality is that they don't. The reality is that many of our trading partners have corrupt systems, and that puts American companies at a disadvantage. But also, we should be using our economic power to advance our values. This chapter carries that out.

Second, on transparency and accountability, under the USMCA, countries must take proactive steps against corruption by implementing and maintaining accounting and auditing standards and measures that prohibit the creation of false transaction records and off-the-book accounts.

Third, the USMCA requires parties to create codes of conduct and procedures for removal of corrupt officials, as well as adopt measures requiring officials to disclose outside activities, investments, and gifts that could create conflicts of interest.

Fourth, on public engagement, under USMCA, countries must agree to promote the engagement of the business community, NGOs, and civil societies in anti-corruption efforts through information campaigns, developing ethics programs, and protecting the freedom to publish information about corruption.

Finally, on good regulatory practices, under the USMCA, countries must follow a transparent regulatory rulemaking process, which the agreement clarifies includes publishing the proposed regulation with its regulatory impact assessment, an explanation of the proposed regulation, a description

of the underlining data and other information, and the contact information of responsible officials.

USMCA further requires parties to follow the U.S.-like system of notice and comment periods for proposed regulatory rulemaking in which the regulators are required to consider comments of any interested party, regardless of nationality, which means Americans will have input in the regulatory process in Canada and Mexico, which has direct effect on our access to their markets.

The countries also agreed to publish an early planning document of regulations the country intends to revise in the next 12 months and to ensure that regulations are written in a clear, concise, and understandable manner.

The USMCA encourages authorities to consider the impact of new regulations when they are being developed, with particular attention to the benefits and costs of regulations and the feasibility of other approaches.

This is an incredibly important achievement, and it is important as a model for U.S. agreements going forward.

By including the good governance and anti-corruption provisions in the USMCA, we are signaling to our trading partners and the rest of the world what our values are—yes, economic values, but also the principles we advance.

However, with these good achievements in the original USMCA, the agreement did not go far enough. There was no deadline to getting it done quickly, so we chose to get it done right.

I wanted to see strict, high standards in the USMCA on labor, environment, and more. Democrats were united in this message. Democrats worked behind the scenes with labor and environmental stakeholders to identify issues and create solutions that could make this agreement one we could support.

Do I think the USMCA lives up to these standards? Yes, I do. The updated USMCA includes important provisions regarding labor standards, which have the potential to improve working conditions and create a more level playing field for U.S. workers.

These changes include the Brown-Wyden rapid-response mechanism, which enables the United States to take swift enforcement action against imports from individual facilities, and stronger labor obligations in the agreement. The changes include a number of other important labor issues, including strengthened labor obligations, new labor-monitoring mechanisms, and extra funding for labor efforts. The implementing bill includes new mechanisms and resources to ensure that the U.S. Government effectively monitors Mexico's compliance with the labor obligations.

The result of these labor additions earned support for the USMCA by the AFL-CIO, United Steelworkers, and the International Brotherhood of

Teamsters. Truly, this is an agreement that is good for labor.

Another critical aspect of the USMCA is that it ensures that our trading partners meet the environmental standards of this country. We want a level playing field. We also want to help our environment.

With respect to the environment, the updated USMCA is a significant improvement over the original NAFTA. The USMCA incorporates environmental obligations into the agreement itself, which are subject to dispute settlement, unlike the original NAFTA, which only included an unenforceable side-agreement.

The USMCA includes upgraded commitments on topics including fisheries subsidies, marine litter, and conservation of marine species.

Democrats secured amendments to the agreement, as well as provisions in the implementing bill, to strengthen the ability of the United States to monitor and enforce the obligations and ensure that the parties are bound to their environmental obligations.

I want to acknowledge my colleague Senator CARPER, the ranking member of the Senate Environment and Public Works Committee, which I also sit on. Together, we pushed to improve this agreement with respect to the enforceability of the environmental provisions. We were happy to see this agreement include many of the things Senator CARPER and I worked and pushed to have done.

Included in the new USMCA is a new trigger mechanism to give environmental stakeholders an expanded role in environmental enforcement matters and create accountability for the administration with regard to seeking environmental enforcement actions under USMCA.

Under the existing NAFTA, any person in a NAFTA country can make a submission to an intergovernmental organization established by NAFTA to address environmental issues, alleging that a NAFTA partner is not living up to its environmental obligations. You can do that. Submissions undergo a public factfinding process by the head of that body, which produces a factual record if the allegation is found to have merit.

Here is where the problem comes in: Once the production of that factual record is done, there is no enforcement mechanism. We have corrected that. Through this new trigger mechanism in the USMCA that was developed, if a factual record is produced, the new Interagency Environment Committee, headed by the USTR, will have 30 days to review the record and make a determination as to whether to pursue enforcement actions under USMCA against the violating country. If the committee, headed by the USTR, decides not to pursue enforcement actions under USMCA, within 30 days after its determination, the committee must provide Congress with a written explanation and justification of its de-

cision. This is a huge step forward in quickly identifying and addressing any environmental action that needs to be taken under this agreement.

In addition, the agreement includes an additional \$88 million of funding appropriated over the next 4 years for environmental monitoring and enforcement to ensure that the goals of the USMCA's environment chapter can be realized. This includes \$40 million appropriated over the next 4 years for the new environment sub-fund Senator CARPER and I pushed to create under the USTR's existing Trade Enforcement Trust Fund, which will be dedicated to enforcement of the USMCA's environmental obligations.

As I mentioned, the United States-Mexico-Canada Agreement establishes an Interagency Environment Committee, led by the USTR, which will coordinate U.S. Government efforts to monitor implementation of its environmental goals. It also establishes up to three new environment-focused attachés in Mexico City to help ensure Mexico is living up to its environmental obligations. It includes new reporting requirements to regularly assess the status of Mexico's laws and regulations that are intended to implement its environmental obligations to help ensure Mexico is living up to its commitments.

We believe the USMCA is a strong, enforceable agreement that makes positive strides in protecting the environment. As this agreement is implemented, I will be watching to ensure that the other parties to this agreement live up to the promises they are making in this bill.

In closing, I support the USMCA because it will help raise the living standards for Marylanders, cuts red tape for small businesses, and unites us with our allies. The provisions of the USMCA protect the environment, help labor organizing efforts, fights for good governance and against corruption, and is enforceable.

I urge my colleagues to support the legislation when it comes to the floor. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

IRAN

Mr. GARDNER. Madam President, I come to the floor to speak about the policy of the United States toward the Islamic Republic of Iran. I commend the administration for taking decisive action last week in Baghdad against Tehran-backed terrorists planning an imminent attack on American targets.

The administration's action with Qasem Soleimani was not only decisive but necessary and legal under longstanding Presidential authority to protect American lives from imminent attack. It is our obligation, it is our duty to protect American lives, especially when our national security agencies and personnel know the imminent danger of attack.

The President made the right call at the right time to neutralize the threat

and to save American lives. Imagine having done nothing—having done nothing—and allowing the attacks to proceed. That is exactly what happened. At yesterday's classified briefing, General Milley and our national security personnel made it clear: The death of General Soleimani saved lives.

Our duty in Congress is to protect the United States, its people and interests, diplomats, and our men and women in uniform around the globe. The actions taken by our military in Iraq undoubtedly saved American lives and addressed a clear, compelling, and unambiguous threat.

The world should not mourn Qasem Soleimani—a man whose name is synonymous with murder in the Middle East as the head of the Islamic Revolutionary Guard Corps' Quds Force, which is designated as a terrorist organization under U.S. law; a man who was personally designated as a terrorist battlefield commander by President Obama. The Quds Force was the tip of the spear for the regime in its terrorist activities abroad and is responsible for thousands of deaths across the region.

Most importantly, according to the Pentagon, Soleimani was responsible for the deaths of over 600 American servicemembers in Iraq. GEN David Petraeus, who commanded our forces in Iraq, stated last week that in his opinion, taking out Soleimani was bigger than bin Laden, bigger than Baghdad.

In other words, President Trump rid the world of an extreme and lethal enemy of the American people—someone who was actively pursuing and had killed and taken American lives. I fail to understand how anyone can question this decision or its rationale. I know they certainly did not—and rightfully so—when President Obama took out bin Laden.

We expected an Iranian response, and on Tuesday, Iran launched a ballistic missile attack against bases in Iraq hosting U.S. troops. I condemn these attacks in the strongest terms, and we are fortunate that they did not result in any casualties.

I do not want war with Iran, but the President did not take this action in a vacuum. Contrary to claims by some of my colleagues in this very Chamber, it is Iran that has escalated tensions, not the United States. Over the last several months and years, Iran has sharply escalated its malign behavior against the United States and our allies.

On June 13, the IRGC attacked two oil tankers in the Strait of Hormuz, a critical global shipping lane. On June 20, the IRGC shot down a U.S. unmanned aerial vehicle in international space. September 14, Iran sponsored an attack on Saudi Arabia's oil facilities, temporarily cutting off half of the oil supply of the world's largest producer. December 27, Iranian proxy group Kataib Hezbollah carried out a deadly attack against a base in northern Iraq, killing an American civilian—killing

an American. The administration appropriately retaliated against this group on December 29. Then, on New Year's Eve, Iran-backed militias besieged and damaged the U.S. Embassy in Baghdad for 2 days, forcing the administration to take prudent measures to prevent further violence.

When Soleimani was caught plotting additional attacks against American targets, the administration took lawful and appropriate action. I now urge Tehran to take the opportunity to de-escalate tensions immediately. The administration must also continue taking all necessary steps to keep our troops, diplomats, and countries safe, and to regularly consult with Congress on next steps.

It is my hope that diplomacy ultimately prevails, but we must not repeat the mistakes of the past. Iran's enmity toward the United States stretches over decades, not just months or weeks. Following the Islamic Revolution in Iran in 1979, the ruling mullahs held 52 American diplomats hostage for 444 days, releasing them only on January 20, 1981, the day President Ronald Reagan was sworn into office. Two years later, on April 18, 1983, a truck laden with explosives rammed into the U.S. Embassy in Beirut, Lebanon, killing 17 Americans. On October 23, 1983, a similar attack on the U.S. Marine barracks in Beirut killed 241 American servicemen. Overwhelmingly, the evidence led to Iran and its wholly owned subsidiary, Hezbollah, as the perpetrator of these attacks.

The Iranian regime has not changed in 40 years. It targeted and killed Americans during the Iraq war, supported Shiite militias, and supplied deadly explosives used to target our troops. Iran continues to prop up the regime of the murderous Bashar al-Assad in Syria. The Iranian regime regularly refers to the United States as the Great Satan and threatens our ally, Israel, which they call Little Satan—threatens to wipe them off the face of the Earth. The mullahs continue to grossly abuse the human rights of their own people, as demonstrated by recent bloody crackdowns on protesters in Iran that have claimed hundreds and hundreds of innocent lives.

Despite all of this, in 2015, the Obama administration rewarded Tehran with a sweetheart deal known as the Joint Comprehensive Plan of Action, or JCPOA, which paved a patient pathway to a nuclear weapon for Iran, lifted all meaningful sanctions against the regime, and did nothing to constrain Iran's malign behavior in the region. Iran used the billions of dollars that were provided in the JCPOA to dramatically increase its terror funding and its military funding.

The Trump administration rightly exited the JCPOA in May 2018 and re-imposed crippling economic sanctions against the regime. They have been clear with Iran that the door to diplomacy remains open if Iran changes its behavior and complies with international norms.

On May 21, 2018, Secretary of State Mike Pompeo delivered a speech at the Heritage Foundation, which clearly stated the administration's objectives: Iran must forgo its nuclear aspirations, cease its support for terrorism, and respect the human rights of its people. Secretary Pompeo said:

Any new agreement will make sure Iran never acquires a nuclear weapon, and will deter the regime's malign behavior in a way the JCPOA never could.

We will not repeat the mistakes of past administrations, and we will not renegotiate the JCPOA itself. The Iranian wave of destruction in the region in just the last few years is proof that Iran's nuclear aspirations cannot be separated from the overall security picture.

Secretary Pompeo was clear that once Iran changes its behavior, it will reap the benefits, stating:

[The United States is] prepared to end the principal components of every one of our sanctions against the regime. We're happy at that point to re-establish full diplomatic and commercial relationships with Iran.

And we're prepared to admit Iran to have advanced technology. If Iran makes this fundamental strategic shift, we, too, are prepared to support the modernization and reintegration of the Iranian economy into the international economic system.

I hope the latest events have made it clear to Tehran that the United States will never back down from protecting our people, our interests, and our allies. Now the ball is in Tehran's court to choose the path of peace or the path of confrontation. It is my sincere hope that they choose the path of peace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I have come to the floor today to talk for a while about the nomination of Paul Ray to serve as Administrator of the Office of Information and Regulatory Affairs. I will do that, but first I want to take a few minutes to set the record straight on what we just heard.

Tom Friedman, who writes for the New York Times, is a famous author, lecturer, and a brilliant guy. Among the things he has mentioned in his writings over the last 3 years is something called the Trump doctrine. The Trump doctrine goes something like this: Barack built it. I, Trump, broke it. You fix it.

There are any number of examples where that has happened: Paris accords on reducing emissions of carbon dioxide on our planet and the Trans-Pacific Partnership, where the United States would lead 11 other nations in a trade agreement around the world. Those 12 nations would be responsible for 40 percent of the world's trade. Under that agreement negotiated in the last administration, the Trans-Pacific Partnership, we would lead that 12-nation group in 40 percent of the world's trade. China was on the outside looking in. This administration walked away from that.

The greatest source of carbon emissions in our planet and the greatest threat to the future of the planet for

these young pages—whom I am looking at now—is way, way too much carbon dioxide in our atmosphere. It is getting worse, not getting better. The greatest source of carbon emissions on our planet are emissions from our cars, trucks, and vans.

The last administration negotiated a 50-State deal, which would have reduced emissions from mobile sources dramatically in the years to come. This administration broke away from it. They walked away from it. The last administration negotiated a rule regulation to dramatically reduce emissions from the second greatest source of carbon emissions in this country and from our utilities: coal-fired utilities, primarily. If you add together the reduction in carbon dioxide emissions going forward from our mobile sources negotiated by the last administration and negotiated in a regulation called the Clean Power Plan, they would provide almost half of the emission reductions by 2050 that we need—almost half. This administration walked away from both.

The last administration argued that rather than always be threatening war with Iran and doing these proxy wars with Iran, maybe what we should focus on is the main thing. A friend used to advise me. He said: TOM, the main thing is keep the main thing the main thing. The reason why we negotiated the JCPOA deal with Iran was to deter Iran from developing and having nuclear weapons that could create a nuclear arms race in the Middle East and put them and, I think, the rest of our planet, literally, at risk. Under the agreement negotiated with Iran and six other nations—including the United States, the Brits, the French, the Germans, the Russians, the Chinese—under the agreement, the Iranians had to agree to stand down, to slow down much of their nuclear enrichment that could actually lead to nuclear weapons. They had to agree to intrusive inspections by the IAEA, the international watchdog for atomic energy. In return for their willingness to do those things, we would reduce the very harsh sanctions that had been put in place by the last administration—very harsh economic sanctions.

The Iranians did what they agreed to do. They stood down their development. They opened up their facilities to intrusive inspections by the IAEA for the last 4 years. There were almost 20 different rounds of inspections, each of which came to the same conclusion: Iran, whether we like it or not, whether we like their leaders or not, kept their word. Some of us remember what Ronald Reagan used to talk about. He used to say that in terms of doing nuclear deals with the Russians—the Soviets—he used to say: “Trust but verify.”

Well, what we did with the Iran deal was mistrust or distrust. We didn't trust them, but we would verify that they were keeping their word. Whether we like it or not, surprisingly, they

did, until this administration came along and walked away from that agreement, which was working. It imposed even harsher sanctions on Iran and led us to, really, where we are today.

Again, Tom Friedman, who gave us the Trump doctrine: Barack built it. I, Trump broke it. You fix it. This is just another example of that happening. We shouldn't be surprised by the events of the past week. It didn't have to be that way. It didn't have to be that way.

I think in the country of Iran, half of the people are under the age of 25. They were never born when the original Ayatollah was in charge, and they had the Iranian revolution. The younger people there would like a better relationship with us. They have elections there, too, where people can actually show up and vote—men and women—vote for municipal elections, for mayors, city councils, and so forth, for Parliament—their Congress is called the Parliament—for their President. I think the last time they voted was 3 years ago. You know which forces gained votes? They don't have Democrats or Republicans over there. They have hard-liners, and they have moderates. The moderates gained election victories in mayoral elections across the country and city council elections across the country. The moderates picked up a lot of votes in the Parliament. The hard-liners lost votes.

The actions of this administration over the last 3 years have pushed Iranian voters, including a lot of young people, away from supporting the moderates in their Nation and pushed them into the arms of the radical extremists, the hard-liners. It didn't have to be that way. It didn't have to be that way.

I don't know how we put this mess back together again, but we need to. I am not sure. I don't have a lot of confidence that this administration is going to be able to do that, given their track record over the last 3 years—at least on this issue.

NOMINATION OF PAUL J. RAY

Madam President, let me talk about Paul Ray. Paul Ray is a bright young man. He is the kind of person I think most of us would say: He ought to be in an administration. I don't care if it is a Democratic administration or a Republican administration. He is smart, well educated, and has good experience. He has been the nominee to head something called OIRA, the Office of Information and Regulatory Affairs, an entity that exists within OMB.

I have met him. He has come to my office to talk with me. He is a very polite young man. He has been before our committee. I voted today against his confirmation. I will tell you why. The Committee on Homeland Security and Governmental Affairs used to be the Committee on Governmental Affairs. I served on it for 19 years. One of the things I love about that committee is that we have oversight over the whole Federal Government. Every committee we serve on, including committees the

Presiding Officer serves on, all have an oversight role. A lot of that oversight deals with the administration as part of our checks and balances. We can only do that job so well if the administration allows us to do our job.

During the confirmation process—as the Presiding Officer knows—witnesses and nominees come before us from the administration. They have been vetted by the administration. They have gone through staff interviews. Then they come to a committee hearing. We also ask questions of the nominees that are relevant to the jobs they are going to do.

Every now and then, you have a nominee for a particular position who is not forthcoming in his or her responses, so we do something called QFRs, which are questions for the record. They are designed to give the nominee another bite at the apple in responding to the questions that Democrats and Republicans have. A lot of times, the nominees are forthcoming, and that is good. The nominations then move forward, and they get confirmed.

I have learned, if nominees are not forthcoming and are not responsive to the oversight questions we ask before they get confirmed, good luck after they get confirmed, for it doesn't get any better. I don't care whether you happen to be a Democrat or a Republican; you have to be concerned about the reluctance and the unwillingness of nominees to respond to reasonable questions regardless of who is in the White House and regardless of who is in the majority of this body.

Let me say a word or two about OIRA. OIRA plays a central role in establishing regulatory and information collection policies across our entire Federal Government. OIRA oversees the rulemaking process from start to finish—from the reviewing of drafts of proposed and final rules, to managing the interagency review process, to ensuring agencies make rulemaking decisions based on sound cost-benefit analyses.

The Administrator of OIRA is a critically important position because, at the end of the day, he or she is responsible for ensuring that rules promulgated by agencies benefit our society, protect our quality of life, protect our health, protect our safety, and protect our environment.

Earlier today, I joined a number of my colleagues on the Committee on Environment and Public Works in a letter to Mr. Ray. We asked him to review concerns that have been raised recently by the EPA's Science Advisory Board about four specific rulemakings that are currently under review.

The EPA's Science Advisory Board found serious concerns with the Trump administration's clean car standards rule, with the administration's proposed mercury and air toxics rule, with the administration's clean water rule rollbacks, as well as with a proposed EPA secret science rule, which will have the effect of limiting the science

the EPA can actually use in rulemakings. The Science Advisory Board found serious shortcomings with how the EPA conducted these rulemakings. Either the cost-benefit analysis was deficient or insufficient, the Agency did not use the best available science, or the legal rationale that underpinned the rule was faulty.

In case you are wondering who selects the members of this EPA Science Advisory Board, as it turns out, it is the President. In this case, all 44 members of the EPA Science Advisory Board were nominated or were renominated under this administration, by this President. They said that there are serious problems with the four rulemakings that I just mentioned. They are not Obama's people. They were nominated by this President.

Mr. Ray has served in top leadership positions at OIRA since June of 2018. First, he was an Associate Administrator. Then, in March of last year, he was promoted to Acting Administrator. Mr. Ray has presided over or has been involved with dozens of controversial rulemaking decisions in the last year and a half at OIRA, including the rulemakings outlined in the letter that I mentioned we are sending him today.

That is why, during the vetting process of his nomination, I, along with my colleagues on the Homeland Security and Governmental Affairs Committee, asked for information about Mr. Ray's background and his work in the last year and a half at OIRA, which is within the OMB. Specifically, we asked him about his involvement in many controversial regulatory rulemaking decisions that have been put forward by the current administration. Unfortunately—sadly, really—Mr. Ray and the Office of Management and Budget have refused to provide the Senate with the information needed to vet Mr. Ray's nomination. As best as I can tell, they didn't even try.

Unfortunately, throughout the vetting process, Mr. Ray apparently refused to answer the Senators' questions by asserting privilege or deferring to the OMB's General Counsel more frequently than any past OIRA nominee who has ever appeared before our committee. Something is wrong with that. I don't care if you are a Democrat or a Republican in this body or if the nominee comes from a Democratic President or a Republican President; something is wrong with that.

In fact, Mr. Ray asserted privilege or deferred to counsel 19 times in his prehearing questionnaire responses alone. Is that a lot? That may well be more times than any other nominee in the history of this agency. Think about that. While it might be appropriate to withhold or redact particular content in some narrow circumstances, Mr. Ray and the OMB's Office of General Counsel have misapplied overly broad privileges to avoid providing Congress with critical information and documents related to his work at OIRA.

Have you ever heard of checks and balances? There is a reason we have

oversight. There is a reason we don't have Kings or Monarchs here who can do anything they want without a check or a balance. Sadly, this nomination process, at least for this nominee—and I think he is well qualified and bright—takes a thumb and sticks it in the eye of checks and balances.

Unfortunately, should this body vote to confirm Mr. Ray, his general approach of nonresponsiveness to the committee's vetting process sets a concerning precedent, not just for him and not just for nominees of this agency, but for future nominees and subsequent oversight efforts to hold the executive branch accountable.

It has been my privilege to serve on the Committee on Homeland Security and Governmental Affairs for 19 years now. We are an oversight committee that conducts oversight not just over the whole Federal Government but on matters that are important to our Nation outside of the government. One of our core duties is to ensure that nominees are forthcoming and provide the Senate with the information we need to do our jobs.

Eventually, we are going to have an election. Who knows who is going to win the next time and who will be in the majority here in this body? Yet, under any administration, we should expect the nominees who appear before the Senate to be forthcoming and to provide us with the relevant information we need to adequately vet their nominations.

For these reasons, I must reluctantly note my opposition to Mr. Ray's nomination for now and urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Tennessee.

Mr. CARPER. Will the Senator yield?

Mrs. BLACKBURN. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Delaware.

IRAN

Mr. CARPER. Mr. President, before Senator BLACKBURN arrived on the floor, I talked about Iran, as many of us have. I mentioned the opposition that some folks in Iran had—that the Revolutionary Guard Corps Quds Force had—to actually entering into negotiations with the United States and five other nations to get the Iran deal, the JCPOA. As far as I can tell, nobody was a stronger opponent to Iran's negotiating with us and five other nations—nobody, as best I can tell, was a stronger opponent for Iran's doing that, for sitting down and trying to work things out—than Soleimani.

We are not going to miss that guy, but he was one of the strongest opponents who had actually taken what, I think, was a reasonable course. Sadly, this administration walked away from it.

I thank my colleague for yielding.

NOMINATION OF PAUL J. RAY

Mrs. BLACKBURN. Mr. President, let me begin by saying that Paul Ray is a

Tennessean and that we are delighted he is being confirmed to the OIRA. He is qualified and will serve our Nation well in the future just as he has in the past.

IRAN

Mr. President, I also want to say a few things about the situation in Iran and about some of the comments that we have heard here on the floor today.

First of all, I think it is important to set the record straight when it comes to the Iran deal. We hear people say: Well, we never should have walked away from it. Let me tell you something. We should never have been in it in the first place. We should never have been in this. How in heaven's name could anybody have thought it was a good idea to put \$1.7 billion of cash on a pallet, stick it on a plane, and fly it to Iran? Whoever would have thought that?

The Iran nuclear deal was not something that helped to stabilize an issue; it incentivized Iran to do bad things. See, the Iran deal included a lifting of sanctions on Qasem Soleimani. Where was the first place he went? Where was the first place he went to get somebody to help to fund the Quds Force—to help fund all of this terrorism? He went to Russia—to his friends. This is why the Iran deal was not a good thing.

Now, you can say they had to open their nuclear facilities to the IAEA, but there was a little caveat in there that doesn't get talked about a lot. They opened it with notification. Well, if you are going to get prior notification that somebody is going to look at your company, to look at your operation, to look at your house, to look at your country, what are you going to do? You are going to clean it up, and you are going to hide things. That is the Iran deal. They didn't stop enriching uranium. What they did was enrich it right up to the point at which it was just under the mark. Did they give it up? No, they didn't give it up.

My colleague had mentioned the Reagan term of "trust but verify." Thank goodness we have a President who decided he would verify, and thank goodness we have an intel community and a U.S. military that did the heavy lifting of figuring out what needed to be done.

When you hear one of my colleagues ask, "How do we put this back together or can we ever put it back together?" we have started putting it back together. We have done it by saying: All right, folks, here is our redline. Guess what. This redline means something. This redline is drawn with the blood of hundreds of Americans who have been killed by this murderous villain. It is a redline of justice.

So let's not have happy talk when it comes to this situation with Iran. Let's make certain we understand what has transpired. We know that our military and our intel communities watched for 8 months as there was escalating violence. We know that violence was orchestrated by none other than

Soleimani himself. Intelligence provided to senior administration officials prior to the strike confirmed that Soleimani had posed a defined threat to the United States.

When we speak about Iran in the context of conflict versus deterrence, we are not referring to a government or a military organization. It is important to note and for the American people to know that Iran is the world's largest state sponsor of terrorism. Do you know who it points that terrorism to? Isn't it interesting. Iran tends to have little bywords. It says: This is our goal—to destroy America, to destroy Israel. That is what Iran has been up to. It has nurtured a proxy network that has helped it to claw its way into the heads of regional leaders who are either too weak or who are wholly unwilling to resist those overtures.

Relationships with Russia and with Bashar al-Assad in Syria have kept Iranian leaders a part of mainstream conversations about national security.

Hezbollah in Lebanon is a close friend of Iran, and their support of militias and Houthi rebels in Yemen adds to the aura of chaos around Iran's activities.

So what does all of this have to do with a targeted strike on one man? That one man has spent a lifetime doing exactly what he was doing the day he died—using violence and intimidation to bring Shiite ideology into prominence and, to quote the notorious Ayatollah Khamenei, “end the corrupting presence of America in the Middle East.”

That is what they thought. Those are their comments, their words—not mine, not the President's, not the military's, not the intel's—the Ayatollah's. That is what he said.

Soleimani took to the frontlines with the Revolutionary Guard in 1979. That may trigger some thoughts of Jimmy Carter, Ronald Reagan, and American diplomats and citizens that were held hostage.

Soleimani was not a new arrival to the terrorist community. Sometime between 1997 and 1998 he was named commander of the Quds Force. Under his leadership, the Revolutionary Guard has gained control of over 20 percent of Iran's economy, and the Quds Force has extended its influence to all Gulf States, Lebanon, Syria, Iraq, Afghanistan, and Central Asia.

He controlled Iran's intervention in support of Assad in Syria and was the primary architect of Hezbollah in Lebanon. They have built up and trained scores of Hezbollah and Houthi fighters, as well as Shiite militias in Syria and Iraq, and those Iraqi militias killed more than 600 U.S. troops during the Iraq War.

Soleimani made much of his militaristic role, but he was a general in name only. He hid behind a uniform while designing, devising, conducting, and advising terror plots, and that is what earned him a spot on the list of people sanctioned by the EU, the

United States, and the U.N. He wasn't a bureaucrat. He was not one of many respected generals.

The Ayatollah called him a living martyr in his lifetime, but I intend to call him exactly what he was—a ruthless terrorist and a shameless, even proud, engineer of hatred, death, and destruction. That is his legacy.

His tendency toward violence as a default was thrown into full relief when President Trump withdrew from that Iranian nuclear deal, just as I said a moment ago.

In early May of last year, the intel indicated an increased threat from Tehran, and between May and September, Iran and its proxies perpetrated more than 80 violent attacks in the region—80—on us and our allies, 80 attacks. They attacked multiple tankers and commercial vessels. They downed an American drone. They took out 5 percent of the world's oil supply. Now we find out that they have taken out a jetliner.

They used their own drones to attack a Saudi airport. A suicide bomber murdered four Afghans and wounded four U.S. troops traveling in a convoy in eastern Kabul.

Soleimani was very confident, but perhaps he should have thought a little harder about the increased level of vulnerability he had built into his expanding network, because he didn't die in a hidden bunker or behind the walls of a fortified compound. He died in public while traversing the Middle East, defining impunity and even taking selfies with proxy terrorists. He did every bit of this in violation of U.N. resolutions. He died because his aggression morphed into a pattern of arrogance and violent escalation that U.S. officials could not, in good conscience, continue to allow.

This month Iranian officials lost their chief terrorist, but they have gained an opportunity, and, I will tell you, the ball is in their court.

Their retaliatory strikes against our shared bases in Iraq did nothing to repair their image as a belligerent and deeply vulnerable regime. If their lack of precision was calculated, no one got the intended message.

The Iranians are now left with two choices, and they are theirs. Pick one. We hope they choose well.

Option No. 1, they can come to the table and behave like a normal country. They are a country rich in resources and smart, educated people. Come to the table and behave like a normal country in the community of nations and allow deterrence to make a comeback.

Option No. 2, they can risk being reminded that the United States will defend to the death the redline that separates justice from chaos, and the American people are going to make certain that we continue to go after monsters who crusade as the declared enemies of freedom.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

TRIBUTE TO LAUREN OPPENHEIMER

Mr. MERKLEY. Mr. President, I want to take a few moments to recognize an individual, Lauren Oppenheimer, who, after nearly 5 years as an invaluable member of my team, has recently moved on to begin the next chapter of her career. We all on Team Merkley are very sad to see her go, but we do feel extraordinarily fortunate that she hasn't gone far—just over to Senator JONES' office on the other side of the Hart building. So Oregon's loss has been Alabama's gain.

Lauren joined my team in 2015, back when I was a member of the Banking Committee, to handle that important portfolio. It was a position that she was extremely qualified for, having a wealth of experience working on those issues in both the House and at the Center for American Progress. But then a seat opened on the Foreign Relations Committee, and I had to turn in my credentials for Banking in order to take that Foreign Relations position.

Well, we knew that that really kind of undermined the vision of why Lauren had come to our team, to really take on that set of banking issues. It would not be an understatement to say it was not a completely thrilling day when I shared this news with her.

But being the dedicated team member that she is, she willingly and graciously took on a new role within the team and a whole new portfolio of issues to work on—issues like election reform and telecom, judicial nominations, rules reform. It might not have been the job that she signed up for, but she excelled at it nonetheless. She excelled because she is extremely smart and talented and because she is passionate about her work, and she threw herself into this new set of issues.

I mean it when I say she is passionate. A quick conversation about Fintech can last for hours, as she excitedly informs you about all of the recent developments in that emerging industry—an industry, by the way, that I had hardly heard of before Lauren came to my team.

Martin Luther King, Jr., once said: “Human progress is neither automatic nor inevitable.” It requires “the tireless exertions and passionate concern of dedicated individuals.” Well, Lauren is certainly one of those dedicated and passionate individuals, and throughout her time on Team Merkley, she has helped move our country forward in ways large and small.

For years she has worked on ensuring the implementation of the Volcker rule, a key part of the Dodd-Frank Act, which closed the Wall Street casino by separating old-fashioned banking from high-risk, high-leverage bets on the future prices of stocks and exchange rates and interest rates and commodities—bets that placed our entire banking system and economy at risk.

Lauren wrote the bipartisan SAFE Banking Act, which had its hearing in the Banking Committee just a couple of months ago, to ensure that legal

cannabis and hemp businesses have access to the same banking services as any other business. She established the Senate Cannabis Working Group to coordinate the Senate's efforts around this issue.

She has worked to ensure the integrity of our judicial system by vetting the nominations for judgeships and, in one case, produced significant insights and records that resulted in the Senate rejecting the nomination of Ryan Bounds for the 9th Circuit.

In her spare time, Lauren has been fighting to save our democracy. Earlier this year she created my "Blueprint For Democracy" to introduce six specific bills, and she was the point person on my team for finalizing the Senate version of the For the People Act, a comprehensive election reform bill which takes on anti-democratic practices such as gerrymandering, voter suppression, and dark money.

But beyond those accomplishments and many others that I haven't mentioned, she made one contribution that I will always remember and deeply appreciate. As many are aware, I spent a significant amount of time over the last year and a half shining a light on the Trump administration's policy of cruelty toward immigrants, refugees, and asylum seekers on our southern border.

Even though immigration issues are not in her portfolio, it was Lauren who inspired me to get involved. I was reading the speech by former Attorney General Jeff Sessions—a speech labeled his "zero tolerance" speech—and the name didn't strike me as unexpected. But when I read the details, it sounded as if the plan was to discourage refugees from coming to our border by deliberately traumatizing children, to rip them out of their parents' arms.

I refused to believe that any American administration would ever actually do this, and, as I was expressing the belief that no American administration would ever resort to hurting children as a strategy to deter immigration and would not resort to a strategy of hurting children to do anything that is not acceptable under any moral code or set of ethics or religious standards, it was Lauren who said: There is one way to find out, and that is to go down to the border.

So I went that next weekend, that next Sunday, and became the first Member of Congress to see the children being sorted into cages after being separated from their parents and to be turned away from any conversation in front of a former Walmart where I had heard that hundreds of separated boys were being held.

The video of that really sent a message to the entire Nation of what this administration was hiding, but the fact that I was there at that processing center and the fact that I was there at that former Walmart, seeking to find out what was going on with those hundreds of boys who had been taken from their parents, was because Lauren

Oppenheimer said: The best way to find out is to go down to the border yourself.

Thank you, Lauren, for playing such a critical role in all of these efforts. You are such a valued member of our team, and you are still valued as a member of our team. You will always be a member of our team, even as you go on to work for our colleague from Alabama.

Our office notices your absence, without the energy and enthusiasm emanating from your desk and your unceasing willingness to take on new challenges and your very valuable work to mentor other team members.

Know that all of us on the team wish you the very best as you continue to fight for a better world in this new chapter of your career.

I am excited that you are returning to your world of expertise, the world of banking. I may be calling you now and then to get your insights on that set of issues that you know so well.

All of us look forward to seeing the insights and understanding you will help us gain from your perspective when you are fully immersed in the banking world. It will be valuable to all of us in the Senate and valuable to our Nation.

I thank you for your service.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON RAY NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Ray nomination?

Mr. WYDEN. 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.

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

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 10 Ex.]

YEAS—50

Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hawley	Rounds
Burr	Hoeben	Rubio
Capito	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Loeffler	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—44

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Harris	Peters	

NOT VOTING—6

Alexander	Moran	Sanders
Booker	Perdue	Warren

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 498.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

Mitch McConnell, John Thune, Ron Johnson, Mike Rounds, Richard Burr, Kevin Cramer, Pat Roberts, Roger F. Wicker, Cindy Hyde-Smith, Thom Tillis, John Cornyn, Tim Scott, Mike Crapo, Steve Daines, John Boozman, Shelley Moore Capito, James E. Risch.

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

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

The Senator from Florida.

IRAN

Mr. SCOTT of Florida. Mr. President, President Trump is working to defend the freedom of our country. He was right to take swift and decisive action to kill one of the world's worst monsters. Soleimani was responsible for the death and maiming of thousands of Americans and tens of thousands worldwide. He ordered the attack on the United States Embassy in Iraq. He had plans to kill more Americans.

There are some in this body who are trying to curtail the President's authority to defend Americans and defend American interests. This is not only foolish; it is fool hardy. Our President does and should have the authority to defend Americans, period, but it is an authority he doesn't take lightly. President Trump is right to use restraint and avoid further escalation unless Iran continues their provocations.

The regime in Iran—a regime that chants “Death to America” and wants to wipe Israel off the face of the map—needs to know that the United States will not tolerate acts of aggression against America or our allies. The death of Soleimani was a strong warning, but they should also know they have the opportunity to become productive members of the world community and bring peace and prosperity to their people. The choice is theirs. We all want peace, and the greatest deterrent to war is our economic and military strength, but Iran must make the choice for peace. It is a choice that is theirs alone.

During this trying time, I want to pause and take a moment to remember the brave men and women of our Armed Forces. We often forget in Washington that the people carrying out the orders of our Commander in Chief are just that—people. They are not pieces on a chess board. They are fathers and mothers, sons and daughters, brothers and sisters.

I remember my father talking about his experience in World War II—a conflict he certainly had no expectation to return from. He loved his service to our country but never forgot those we lost.

I remember friends going to Vietnam and Korea. I have spent many hours sitting and talking with Gold Star parents. As Governor, I watched Florida National Guard units leave for wars in the Middle East.

The cost of war is great. As Ronald Reagan said, “Freedom is not bought cheaply.” We should never forget that.

I am praying for our brave men and women in uniform—some of them Floridians—headed overseas to protect Americans and prevent an escalating conflict, and I am praying for peace.

These heroes put their lives in danger to defend our Nation, and we cannot thank them enough for their sacrifice and their service. We must recognize the dangers and threats that our world faces today, and we must always stand together united to defend freedom and democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

REMEMBERING JOCELYN BIRCH BURDICK

Mr. CRAMER. Mr. President, on the day after Christmas, former Senator Jocelyn Burdick died in Fargo, ND, at the age of 97.

Jocelyn served only 30 days, roughly—or 3 months, maybe, at the most—in the United States Senate while she filled the vacancy that was created by the death of her husband, the longtime United States Senator, Quentin Burdick. During those 3 months, Jocelyn was able to cast votes as her husband would have cast them and to support his staff after his death and through the transition to fill the vacancy in a special election. Jocelyn will forever hold a place in North Dakota history as North Dakota's first woman United States Senator.

However, her service in North Dakota goes far beyond those 3 months she served in the Senate. All of us Senators know the importance and the incredible service of our spouses. Jocelyn stood by Quentin's side for 32 years while he served our State here in this important body.

Throughout her life, Jocelyn embraced her place in public life with tremendous grace, dignity, and class. She demonstrated by example how people can be principled in their beliefs, yet friendly, cordial, even affectionate while having different political views. I am honored to be standing here using her desk—Quentin's desk. To be a part of this heritage is a great honor for me.

The impact of her life well lived can be seen in countless ways, especially as a philanthropist, as a political and community volunteer, and certainly as a woman of deep faith. Jocelyn's memory will remain alive in the hearts of all of those who had the privilege to know her.

Kris and I join Senator HOEVEN and Mikey, and many, many North Dakotans in sending our condolences and our best wishes to the Burdick family. We pray that fond memories and the deep affection so many people held for Jocelyn will comfort them in these

days and the days ahead. I pray that God will bless Jocelyn Burdick's memory.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, today I rise, along with my colleague Senator CRAMER, to honor former Senator from North Dakota Jocelyn Burdick. She was the first woman to represent the State of North Dakota in the U.S. Senate. My wife Mikey and I were saddened to hear of her recent passing, and we want to extend our sincere condolences to all of the Burdick family.

As I said, I, along with Senator CRAMER, have introduced a resolution to honor Senator Jocelyn Burdick and her service to the people of North Dakota and the United States in this body.

Jocelyn was born in Fargo, ND. She attended Principia College and Northwestern University and began her career as a radio announcer in Moorhead, MN.

On September 12, 1992, Jocelyn Burdick became the first woman from the State of North Dakota to serve in the U.S. Senate. She was appointed by then-Governor George Sinner to fill the seat of her late husband, Quentin Burdick, whom she served alongside during his 32 years in this body, the U.S. Senate. The Burdick family has a long history of public service.

During her time in the Senate, she helped to establish the Quentin N. Burdick Indian Health Program at the University of North Dakota, supporting healthcare training programs for Native Americans, and helped to secure funding for the Federal courthouse in Fargo named after her late husband.

Jocelyn was a Sunday school teacher and devoted member of the Christian Science Church. She served as president of the local Parent Teacher Association, recorded public service announcements raising awareness of substance abuse and drunk driving, and was nationally recognized for her philanthropy on behalf of the Gamma Phi Beta sorority.

I knew Jocelyn Burdick, and she was a fine person. I join with the people of North Dakota in expressing our appreciation for her service on behalf of our State and our Nation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BRAUN). The Senator from Ohio.

UNITED STATES-MEXICO-CANADA AGREEMENT

Mr. BROWN. Mr. President, in the fall of 2016, just 4 years ago, I heard Candidate Trump repeatedly promise to get rid of the North American Free Trade Agreement—to pull out of it, to renegotiate it, or to fix it so that it worked better than it did.

I didn't support Donald Trump for President. I think he has been a less than honest President with whom I disagree in terms of his character and in terms of his work product, but that is really not the point. The point was

that I liked what he said about getting out of NAFTA. I know what NAFTA did to the Presiding Officer's home State of Indiana. I know what it did to Dayton, OH; to Cleveland, OH; to Canton, OH; to Youngstown, Toledo, Mansfield, Springfield, Zanesville, and to almost every community in my State. So I welcomed the President's saying that.

The reason I thought these trade agreements were so bad for our country was that these trade agreements were always written by corporate interests and to serve the needs of the executives and the major stockholders of the corporations. In fact, they not only were not written for workers, but they undermined workers. I have never voted for a trade agreement. I voted against NAFTA, and I voted against the Central American Free Trade Agreement. I voted against permanent normal trade relations with China—one after another after another—because I saw that these trade agreements were written for corporate interests and that they betrayed workers.

What happened is that companies would shut down production in Canton or in Niles or in Bryan or in Lima, and they would move overseas, build factories there, and sell those products back into the United States. That was what happened with these trade agreements. Corporations liked them because they could exploit low-income workers. They liked them because their profits could be greater. They liked them because they had no responsibility to their workers when they would move overseas and sell the products back. That was their mission. That was the way these companies did business. So I welcomed the President's doing that.

Then, about a year ago, the President presented the new NAFTA. He called it the United States-Mexico-Canada Agreement, the USMCA. When he presented it to the Congress, it was more of the same. It was almost exactly the same. It had a few little tweaks, but fundamentally the President again betrayed the workers, as all of these trade agreements do. The President's bill, the President's USMCA, was again a giveaway to corporate interests. In fact, there was a provision in there for the drug companies that was maybe worse than I had ever seen in a trade agreement. The White House, I admit, does look like an executive retreat for drug company executives except on Tuesdays and Fridays, when it looks like a retreat for Wall Street executives.

The President presented this USMCA to us, and it was the same ol, same ol. It fundamentally would mean more jobs would be outsourced, more profits for corporations, and more exploitation of low-wage workers. Because of his USMCA, even more companies would shut down in Lima or in Zanesville or in Gallipolis or in Portsmouth or in Chillicothe and move overseas to look for cheap labor and weaker labor laws so they would make more money. So

this President betrayed workers again by giving us a trade agreement that was no better than the ones he had campaigned against.

Yet, this year, a number of us—Senator WYDEN of Oregon, Speaker PELOSI, Congresswoman DELAURO of Connecticut, and organized labor—banded together and said: No, Mr. President. We are not going to pass another corporate trade agreement. We are not going to pass another special interest trade agreement that sells out workers and enriches corporate executives over and over. We are not going to buy that again. We are saying no to that. Then we said: We will support your USMCA only if you include strong language for workers.

So we got the Brown-Wyden amendment in this agreement.

Finally, after a year—the President fundamentally refused to talk to us about it, and the U.S. Trade Rep refused to seriously include this language—they realized: Wait a second. If we don't do this, we will never get another USMCA. So just a few weeks ago, President Trump and U.S. Trade Representative Lighthizer finally agreed to put in strong labor language.

Do you know what that means? It means that the center of our trade agreement now—the center of our trade policy—is workers. Workers are now at the center of our trade policy, not corporate interests that send jobs overseas, not pharmaceutical companies that make even more money when they go to China, not other kinds of corporations that outsource their jobs and have their whole business plans undermining workers.

Do you know what else that means? It is good news for places like Gallipolis and Zanesville and Mansfield and Lima and Chillicothe and Columbus and Dayton and all of these communities in my State. It is good news for them because, for the first time, they can look to our trade policy and see that workers are the center of that trade policy.

In years and years here, I have never voted for a trade agreement. I have always opposed NAFTA and CAFTA and PRT with China. Last week, in the Committee on Finance, because they included Brown-Wyden, because workers are now at the center of our trade policy, I cast my vote for a trade agreement that will matter, that will help workers in my State. It is a good move. It means not just that this trade agreement will be better; it means, in the future, that any President who wants to pass a trade agreement will have to do what we did this year over the resistance of President Trump. He will have to do what we did this year and put workers at the center of our trade policy.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, if I go back 2½ years, there was a lot of turmoil and a lot of conversation about

the President of the United States' stepping into the issue of trade, specifically in North America, for it was a settled issue between Canada and Mexico. Yet we asked the question: Should we revisit NAFTA?

At that time, a lot of people said that the trade agreement was complicated and hard and that we shouldn't touch the trade agreement, that we should just leave it alone. With all of its warts and all of its faults, it is what it is. Don't touch it.

Instead, the President chose to step into the North American Free Trade Agreement and say: No. We are going to renegotiate this deal. It is 25 years old, and it needs a revisit. Against the many people who were pushing against him, he pushed through that and said: Let's start all over again.

In the past 2½ years, the Trump team has renegotiated the deal and brought it back to Congress, where it passed with overwhelming bipartisan support—finally—in the House. It sat on the House's desk for 14 months before those in the House took it up. Finally, after 14 months of their not taking it up, they passed it with overwhelming bipartisan support. It has now gone through the Committee on Finance here in the Senate with a vote of 25 to 3, and it is headed toward the floor of the Senate, to the President's desk, and finally to getting this issue resolved about North American free trade.

Now, with this issue between Canada and Mexico, I have had some folks ask me: Why is it such a big issue? It is a big issue because Canada and Mexico are our No. 1 and No. 2 trading partners in the world. Far and away, Canada and Mexico are our biggest trading partners. Our trade relationships are essential not just to every border State but to States like my State. In Oklahoma, Canada and Mexico are also our biggest trading partners. They are vital to our economic success and have been key to what has happened in NAFTA over the last 25 years.

Yet now, after all of the negotiations and all of the noise, we finally have a revised area in trade that has needed to be addressed with things like intellectual property, which is a new chapter in what is now called the USMCA or what people call NAFTA 2.0. This simple change is not so simple when trying to deal with intellectual property theft, whether it be a camcorder recording in a movie theater somewhere in Mexico, whether they sell pirated copies, which has been an issue, or whether it is just the ownership of patents and how things actually move from place to place. Can you confiscate property that is illegally produced at each border crossing, and how is that managed? That is addressed for the first time in this agreement—trying to protect American patent owners from not having their patents stolen once they leave and go to Canada or Mexico.

Twenty-five years ago, digital trade was not a major issue in NAFTA. Obviously, it is a very significant issue for

us now, and it is finally addressed in this agreement, as well as how we are going to handle digital services and digital trade.

There is something very important to my State, and that is agricultural trade and how agricultural goods are going to move. Now, the vast majority of this USMCA agreement lines up exactly with the NAFTA of the past, but there are some areas that were problems in the NAFTA of the past that had to be addressed, one of those being wheat, for instance.

When wheat moved from the United States into Canada, Canada downgraded that wheat to a lower grade so that our Oklahoma farmers would get less profit for that because they downgraded that wheat as it moved across the Canadian border. This agreement settles that issue. That was just Canadian protectionism. It wasn't that the wheat was of a lesser quality; it was just that they were trying to protect Canadian wheat instead of having an actual free market.

This is a free trade area. The tariffs and the fees go away across North America if we can have a level playing field. In areas in which we don't have a level playing field, like with Oklahoma wheat competing with Canada's wheat, we are taking that on. I feel confident that Oklahoma wheat is going to win that fight, and given this new trade agreement, we get the opportunity to win that.

There are lots of areas in the agreement that help us in agriculture. There are areas in digital trade and intellectual property, as well as in multiple other areas of manufacturing. That is why so many groups and so many individuals have looked at this and have gone back to the Trump administration, with some of my Democratic colleagues begrudgingly swallowing hard and saying: This is a good agreement for America in the future. This does help us keep jobs here. This helps us continue to have a level playing field for trade.

I congratulate the Trump administration for its 2½ long years of very hard work to get to this agreement. I am grateful that we are nearing an agreement with China, a phase No. 1 agreement. It is much needed because China has been a major problem in intellectual property theft and in its having an unfair trading platform. I am grateful the administration has also completed the first stage of a major, new trade agreement with Japan. Those are our four largest trading partners, and it is significant to our economy not just in the short term but in the long term that we continue to have stable free trade areas in as many places as we can.

I am confident in the American worker. When given the opportunity to compete, we win because of the quality of our work, the quantity of our work, and the creativity of the inventions we put out from this country. Let's keep doing that. Let's keep winning around the world in our trade agreements.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO DOUG AND APRIL MOORE

Mr. SULLIVAN. Mr. President, it is the end of the week here, a Thursday at least, on the Senate floor, and it is that time of the week that I usually come down and talk about somebody who is making my State such a great place to live in, somebody who is doing great things for their community, somebody I refer to as a group or individuals as our Alaskan of the Week.

So this is kind of exciting. The pages usually see this as the most exciting speech of the week because they learn about Alaska.

This is our first Alaskan of the Week of the year. I am sure the Presiding Officer is even excited about that. It is actually the first one of the whole decade, so stand by.

Now, usually I give these speeches and talk a little bit and update about what is going on in Alaska.

I just spent a glorious holiday, New Year's, Christmas in Anchorage and Fairbanks over the last couple weeks.

We passed the winter solstice. That is the shortest day of the year. Now, it might not feel like that in Alaska, but actually the days are getting longer, getting more sunlight, but the cold has hit, winter has come.

In Anchorage, our largest city, my hometown, temperatures just last weekend when I was home were dropping into the 15-below-zero range. In the interior of Alaska—that is a little more north—it hit 65 below zero in Manley Hot Springs on December 27. That rivals the winter temperature on Mars. OK? It is cold.

I was in Fairbanks. That is part of the interior, beautiful Fairbanks, where it has been close to 40 below the last couple weeks. I went out and took a run. I am not sure I realized it was that cold. It was only about 20 below on my run. It was kind of cold, but it was still a nice run. We have a lot of folks who get out and enjoy the beautiful winter, beautiful temperatures.

I mentioned in the interior—the elementary school in Nenana recently posted that they were going to cancel school if it hit 55 below zero.

So these are tough people, especially having just witnessed Washington, DC, close the whole darn city because they had a half inch of snow, but I am digressing here.

We live in extremes in Alaska, but, for many of us, that is exactly why we live in Alaska. Toughing out these extreme temperatures together certainly makes us closer, brings communities together, makes people rely on each other. We are a huge State geographically, but a small, tight-knit State in terms of population, and we get through things like these tough winters, really cold winters, by gathering together in small and large places all across the State, places of warmth, particularly when it is cold outside.

So today I would like to recognize an Alaskan couple who has provided one

of those places of warmth for the community of Talkeetna and the surrounding areas. Talkeetna is about 100 miles north of Anchorage. It is a must-visit stop when you come to Alaska. Why? Well, it is absolutely beautiful. It is the gateway to Denali National Park, and if you would like to take a flightseeing tour of Denali, it almost certainly is going to take off in Talkeetna.

So I encourage everybody who is watching here in the Gallery or on TV, you have to come to Alaska. You have to visit—winter, summer, fall, spring, it doesn't matter. You will have the best trip of a lifetime. Go to Talkeetna.

It is also a unique town in many ways—Alaska unique. It was the model for the TV show, many years ago, "Northern Exposure." Its honorary member for 10 years was a cat named Stubbs. So you get the picture. It is a town filled with generous and warm people who love their State, their communities, their country.

Our Alaskans of the Week today are Doug and April Moore. They are the owners of an iconic store in Talkeetna, Moores' Hardware and Building Supply. It is a hardware store with a heart and a place for the community to gather, particularly in the winter, and it is a place that the Moores run to reflect the value of families and communities that they hold so dear.

So let me tell you a little bit about the Moores. Doug's parents and his brother moved from Anchorage to Talkeetna in 1981, when Doug was a preteen and his parents wanted to live in a smaller community, smaller than Anchorage, and they wanted to own their own business. So they chose a tool store housed in a Quonset hut. Like many small business owners all across Alaska, all across America, they got to work—hard work, long hours, but that is what they did.

The younger Moores worked at the store when they were growing up, but Doug chose to be a surveyor when he was in college, and eventually he ran into April, his wife, at a restaurant in Talkeetna. Because it is a small town, they knew each other. They had grown up just a quarter mile apart, but things clicked at that restaurant.

After they got married, Doug and April decided they wanted to run the family business, the hardware store, and they wanted it to stay in the family.

Fast forward to now. If you live in Talkeetna, and you want to build a house, you want to make repairs, you need a hammer, a nail, or just for a cup of coffee, their store is more than 10,000 square feet, with a staff of about 20, with more in the summer. The staff loves the place. They love the Moores because they are great people, great owners, dedicated owners.

Here is how one employee describes working for them:

You will never find anyone like them anywhere.

Another said:

They are amazing people, what they do to us personally—they take care of us. They make sure we are taken care of. If we have family issues, they understand and do everything they can to help.

Doug recently said:

We're a family-oriented business. The families of the people who work for us are very important. The kids of our employees have grown up in the business.

Both of their parents have been together for 50 years, and Doug and April have been together 25. These are really important milestones, really important examples.

As Doug said, "We really believe that's one of the big problems with America right now—families not staying together. We live our values."

The Moores are also heavily involved in the community. April was a Girl Scout leader and a PTA member. Doug was the president of the community council, a volunteer emergency medical technician, a volunteer firefighter. They help on Thanksgiving with the food bank, as well as the local gun club and firing range. They give where they can. They give back to the community. They are integrated in the community.

Last summer, a series of wildfires ravaged through Southcentral Alaska. The most destructive of these fires was the 3,700-acre McKinley fire. It destroyed 51 homes, 3 businesses, and 84 outbuildings. Thank God, nobody in Alaska was killed.

As one of the largest hardware stores servicing that region where that fire was, Moores' Hardware and Building Supply stepped up, donating time, equipment, and giving to people who needed help, people who needed to rebuild.

We often talk about how small businesses are the backbone of our country's economy, but here is the thing. They are also the backbone of our communities.

In small towns throughout America or throughout Alaska, businesses are not just places for people to go and shop for things. They can also be places where people get together, where people give to one another.

In fact, they are often the glue that holds communities together. This is what Moores' Hardware and Building Supply is. I have had the honor of going there, shopping there, seeing this great store and community in action.

Now, one of the Moores' sons, Justin, is in training to take over the store when Doug and April finally retire. It will then be an official third-generation small business in the great State of Alaska. What a great accomplishment that will be.

Justin is committed, just like Doug and April, to their employees and their communities. So I want to thank the Moores. In fact, I want to thank all small business owners across Alaska and across the country for your hard work.

Doug and April, thank you not just for that hard work but for all you are doing for the community of Talkeetna

and the surrounding areas and for the great State of Alaska.

Congratulations on being our first Alaskan of the Week of 2020.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 3:32 p.m., recessed subject to the call of the Chair and reassembled at 5:28 p.m., when called to order by the Presiding Officer (Mr. SULLIVAN).

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 541, 542 and 552.

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

The senior assistant legislative clerk read the nominations of Cynthia L. Attwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2025 (Reappointment); Amanda Wood Laihow, of Maine, to be a Member of Occupational Safety and Health Review Commission for the remainder of a term expiring April 27, 2023; and Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services for a term of four years, en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the nominations of Attwood, Laihow, and Kemper, en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. 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.

TRIBUTE TO CARTER HENDRICKS

Mr. McCONNELL. Mr. President, as my good friend Carter Hendricks prepares to end his service as the mayor of Hopkinsville, he certainly has a lot to show for his years of leadership in Southwestern Kentucky. He has helped the region take full advantage of its great potential, and I know I join his friends and constituents in expressing our gratitude. Today, I would like to honor this remarkable Kentuckian and wish him well as he embarks on his next chapter.

When he was first elected in 2014, Carter made headlines for becoming the second youngest mayor in Hopkinsville's two centuries of history. The local newspaper, the highly regarded Kentucky New Era, also reported that Carter was only the city's second Republican mayor. He quickly mobilized the city's administration with a bold strategy to make Hopkinsville an attractive destination for economic development. His flagship initiative, called "Hoptown WINS," was a nearly \$15 million capital campaign involving downtown improvements, as well as new parks, a sports complex, and a visitors center. These state-of-the-art amenities are meant to help draw investment and good jobs into Hopkinsville and the surrounding areas. Now halfway through his second term, Carter and his constituents are beginning to see the positive results of his leadership. His vision of Hopkinsville's bright future is helping to create the conditions for growth and prosperity.

Carter had been encouraging economic growth in the region long before he first stepped foot into the mayor's office. For nearly a decade, Carter worked in senior positions at the Christian County Chamber of Commerce, including 4 years as its president and CEO. With local leaders and the business community, he helped develop creative solutions to the county's challenges.

I have had the great privilege to work with Carter in both of these capacities. When I heard the area's lack of access to a Federal interstate was obstructing business investment, Carter and I teamed up to find a solution. In 2017, Senator RAND PAUL and I secured the designation of a nearby section of the Edward T. Breathitt Pennyrite Parkway as Interstate 169. When President Trump signed our provision into law, he helped connect Christian County to the Federal interstate system and bolstered Carter's efforts to encourage growth in the area.

We also partnered to support the brave men and women stationed at Fort Campbell in Christian County. The installation is part of Kentucky's critical role in our national defense structure, and the local community takes seriously its responsibility to support Fort Campbell's mission and the servicemembers stationed there. During his time with the chamber, Carter led the business community's efforts to be strong and supportive neighbors. Together, we wanted to welcome

all members of the military and their families to Kentucky, make them feel at home, and help them prosper in this community.

Carter said he didn't take the decision to leave the mayor's office lightly. When the chance to lead the South Western Kentucky Economic Development Council became available, however, he leapt at the opportunity. Formed in 2012, the organization represents Christian, Todd, and Trigg Counties and engages with job creators looking for their new home. Carter admits the job will present new challenges, but I am confident he will bring the same knowledge, determination, and high energy that has led to so much success.

Although the city will certainly miss Carter's daily leadership, he said, "I'm not leaving the team—if anything I'm just in a slightly different position." At the economic development council, Carter will continue supporting the city's efforts and continue working toward the same goal. He is certainly lucky to have a proud cheering section in his wife Faye and their two children. I would like to thank Carter for his constant dedication to creating opportunities for families in West Kentucky and to congratulate him on his great achievements. I hope my Senate colleagues will join me in commending this talented Kentuckian for his leadership and service and in extending our best wishes as he steps into a new role.

Mr. President, the Kentucky New Era in Hopkinsville recently published a profile of Carter's distinguished service. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Kentucky New Era, Jan. 7, 2020]

HENDRICKS SHARES WHY HE PURSUED
POSITION WITH EDC
(By Zirconia Alleyne)

Hopkinsville Mayor Carter Hendricks announced Monday afternoon that he will resign in order to accept the executive director position with the South Western Kentucky Economic Development Council.

His official resignation letter and date were not released as of press time Monday.

Hendricks, who is in his second term as mayor, called a meeting with city staff at the same time the SWKEDC met across town Monday to determine he was the best candidate for the role left vacant in November when Mark Lindsey resigned.

The Kentucky New Era broke the news shortly after the EDC came out of closed session.

Hendricks had just wrapped his meeting with staff telling them he was a candidate and would accept the position if offered. He said he didn't know going into the meeting knowing that he was selected, although there had been chatter on social media throughout the weekend.

"I went out on a limb by having that meeting, knowing that I could have had egg on my face if it didn't go the way I was praying for it to go," he said. "But, that's the risk you take sometimes."

Why he applied?

Hendricks, who served as the executive director of the Christian County Chamber of

Commerce from 2010 to 2013, said he has always been interested in economic development and thought about pursuing the position with the regional EDC in 2017 when Lindsey was ultimately named the director.

"There's been a couple other times I was interested in that position, but the timing never felt right," Hendricks said. "The reason I was willing to step forward now and show interest is because I have a passion for it, I believe I have a skillset for it and I know I have experience in it. It was inevitable that I would be looking for something different in the next two to two and a half years, and I cannot afford to wait until the next opportunity arises."

Hendricks said he expected Lindsey to be in the position for five to seven years like national trends show, and he hoped to apply once his second term in office was done.

However, when the opportunity arose again in November, Hendricks said he expressed interest. He went on to say he had no contact with the EDC board members after his interview in December, except the board chair to ask about the hiring process.

The South Western Kentucky Economic Development Council was formed in 2012 through a merger of the Todd County Industrial Foundation with the Christian County Economic Development Council, according to New Era archives. In May 2014, the Cadiz-Trigg County Economic Development Commission joined forces with the two.

The executive director works to recruit businesses and industry to the tri-county region. Hendricks said the new job will be a challenge, but he's up for it.

"A lot of my dad's family is from Trigg County . . . and I've got great working relationships with the mayors and judge executives, and I've worked hard to maintain those relationships," Hendricks said. "I'm still going to have to learn more about Todd County and Trigg County, but I'm eager to do that."

STEPS TO APPOINTING A NEW MAYOR

According to KRS 83A.040, Hendricks must submit a formal resignation letter with his final date before the process to appoint an interim mayor can begin.

The statute explains that his resignation shall be effective at the next regular or special meeting of city council after the date specified in his letter of resignation. City council will then have 30 days to fill the vacancy with an interim mayor.

The statute goes on to explain that the interim mayor can serve until the next succeeding annual election, at which time the vacancy will be filled by election for the remainder of the term. The next general election is in November.

The mayor's assistant, Idalia Luna, is leaving at the end of January for her new role with the city as executive director of the Human Rights Commission. The mayor said he didn't look for her replacement because the next mayor should choose the person for that role.

"I intentionally didn't fill that role until I knew how this would turn out," Hendricks said.

Of the empty mayor's office that will be left, Hendricks said the staff is equipped to keep the city afloat. "People like to believe that the mayor is the one running the city, but if you're doing your job correctly, the credit is to these city employees," he said.

"I care a lot about this team," he continued. "I spent five years with them and had a heart attack with them—and I don't say that lightly. This team rallied around me and they showed up—they showed up in the hospital, they sent cards and notes. They'll be my family no matter what role I'm in as long as I'm in this community. They're good people."

HENDRICKS' TIME IN OFFICE

Hendricks was elected for his first term as mayor of Hopkinsville in November 2014. According to New Era archives, Hendricks became only the second Republican mayor in the city's history. Herb Hays was the first when he was elected in 1985 and died in office in 1987.

Hendricks said he wouldn't trade his time as mayor for anything, but he acknowledged that it was a tough job.

When asked about the stress of being mayor, Hendricks said he believes a variety of things contributed to his heart attack on Christmas Eve 2016.

"When I first had the health scare, I was running on the greenway, so it's not that I wasn't a healthy person," he said. ". . . More than anything it was genetic. My dad passed away at 64 from heart disease and had his first heart attack at 46.

"Sure, I have to believe that some of the pressure and stress of this job contributed to (my heart attack)," he recalled. "At the time, we were really working on the WINS initiative to get it approved, and I'm a pretty Type A personality when I believe in something . . . those types of characteristics combined with genetics and too many Dr. Peppers contributed to a heart attack when I was 43."

Hendricks' Hoptown WINS initiative, an acronym for Wellness, Infrastructure and Neighborhood, was a major part of his first term. The \$14.8 million in capital projects came to fruition through a tax increase voted on by city council. The result? The construction of the Planters Bank-Jennie Stuart Health Sportsplex, a series of downtown improvements, extensions to the Hopkinsville Rail Trail greenway system, two neighborhood parks, the completion of the visitor's center on East Ninth Street and more sidewalks around town.

"Everything we did in the Hoptown WINS initiative had economic development in mind," he said. "If you look at what economic developers and site planners will tell you, there's about five things that are the most important criteria for communities to be successful. One of those is quality of place—walkability, performing arts facilities like the Alhambra theatre, youth activities . . . those types of things matter."

"You have to be a desirable community for industries to want to invest in you," he continued. "Those are the types of projects that industries and workers are looking for, so nearly everything we've done has been to try to position our self to take better advantage of economic development opportunities."

Hendricks said he had the support of his wife, Faye, and their two children, Chase and Lily, when he pursued the position. He also said he prayed.

"I know that sounds cliché, but as a result of prayer and speaking with the family, I decided to pursue this opportunity knowing that it wasn't an ideal time," he said. "There isn't an ideal timeline when you're serving in an elected position and thinking about what you're going to do next."

Hendricks said he has no plans to leave his hometown anytime soon and he doesn't plan to run for any other elected positions. For now, Hendricks said he hopes to make positive change in the community through his new role at the EDC.

"What I hope people will see after it's all said and done is . . . I'm not leaving the team—if anything I'm just in a slightly different position of the team," he said. "If you think I've been the quarterback, I'm now the wide receiver, and my job as this wide receiver is to go deep and score touchdowns and recruit business and industries that will help this community grow and provide more opportunities for families."

MONROE COUNTY BICENTENNIAL

Mr. McCONNELL. Mr. President, at the beginning of a new year, most of us look ahead with plans, expectations, and resolutions. The residents of Monroe County in the Pennyroyal region of South Central Kentucky, however, are spending the first days of the new year looking back on their unique history. They are looking two centuries back, in fact, to the county's founding in 1820. I would like to join with these Kentuckians in kicking off a year of bicentennial celebrations of the county's blessings and its rich heritage.

At its founding, local leaders looked to Presidential leadership when selecting the name for the county and its seat. President James Monroe was honored with the county's name while his Vice President, Daniel Tompkins, was the inspiration for the county seat's name, Tompkinsville.

Early Monroe County residents took advantage of the area's fertile soil and its close proximity to the Cumberland and Barren Rivers. In this beautiful setting, they began developing deep agricultural roots with livestock and staple crops like tobacco and hemp.

Like many Kentucky counties, Monroe's early economic development was stunted during the Civil War. Many local residents joined the war effort, and support for the Union led to the establishment of Camp Anderson and the raising of the 9th Kentucky Infantry. Unfortunately, Monroe County's location on the Kentucky-Tennessee border also caused multiple invasions by both Union and Confederate forces throughout the war. During one of these raids, a Confederate unit captured Tompkinsville and burned much of the town, including the courthouse, causing lasting devastation.

Although the local economy was slow to rebound immediately after the war, the new century helped Monroe County get back on track. Since that time, families in the region have continued developing their rural traditions while making important investments into new local industries. A little over a decade ago, I was proud to partner with local officials in Monroe County to deliver Federal funding for a new water treatment facility, along with other upgrades. Together, we are helping to encourage new opportunities for economic growth and good jobs for Kentucky families.

In addition, I greatly enjoy working with a proud son of Tompkinsville, Congressman JAMES COMER, who is a strong champion for his hometown and all of the First District of Kentucky here in Washington.

The yearlong bicentennial celebration will feature a wide range of Monroe County's history, as well as some of its local specialties. From its famous barbecue to a Gospel music event, the festivities will showcase the many talents of Monroe County families. They will also pay tribute to local veterans, honoring the county's long and distinguished record of contributing to our Nation's defense.

In celebrating their wonderful history, these Kentuckians are also preparing to take advantage of their great potential ahead. With the principled leadership of Congressman COMER, State Representative Bart Rowland, County Judge/Executive Mitchell Page, and many other local officials, Monroe County is well-positioned for a bright future. It has been a privilege to help kick-off this bicentennial celebration, and I ask my Senate colleagues to join me in congratulating all the residents of Monroe County on this milestone. Together, we look forward to many more prosperous years to come.

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 may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

HON. JAMES E. RISCH,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-06 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Singapore for defense articles and services estimated to cost \$2.750 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 20-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Singapore.

(ii) Total Estimated Value:

Major Defense Equipment* \$1.625 billion.

Other \$1.125 billion.

Total \$2.750 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to twelve (12) F-35B Short Take-Off and Vertical Landing (STOVL) Aircraft (Four (4)

F-35B STOVL Aircraft with the option to purchase an additional Eight (8) F-35B STOVL Aircraft).

Up to thirteen (13) Pratt and Whitney F135 Engines (includes 1 initial spare).

Non-MDE: Also included are Electronic Warfare Systems; Command, Control, Communication, Computers and Intelligence/Communication, Navigation and Identification (C4I/CNI) system; Autonomic Logistics Global Support System (ALGS); Autonomic Logistics Information System (ALIS); F-35 Training System; Weapons Employment Capability and other Subsystems, Features and Capabilities; F-35 unique infrared flares; reprogramming center access and F-35 Performance Based Logistics; software development/integration; aircraft transport from Ft. Worth, TX to the CONUS initial training base and tanker support (if necessary); spare and repair parts; support equipment, tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics support.

(iv) Military Department: Air Force (SN-D-SAE).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 9, 2020.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Singapore—F-35B Short Take-Off and Vertical Landing (STOVL)

The Government of Singapore has requested to buy up to twelve (12) F-35B Short Take-Off and Vertical Landing (STOVL) aircraft (four (4) F-35B STOVL aircraft with the option to purchase an additional eight (8) F-35B STOVL aircraft); and up to thirteen (13) Pratt and Whitney F135 Engines (includes 1 initial spare). Also included are Electronic Warfare Systems; Command, Control, Communication, Computers and Intelligence/Communication, Navigation and Identification (C4I/CNI) system; Autonomic Logistics Global Support System (ALGS); Autonomic Logistics Information System (ALIS); F-35 Training System; Weapons Employment Capability and other Subsystems, Features and Capabilities; F-35 unique infrared flares; reprogramming center access and F-35 Performance Based Logistics; software development/integration; aircraft transport from Ft. Worth, TX to the CONUS initial training base and tanker support (if necessary); spare and repair parts; support equipment, tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics support. The total estimated cost is \$2.750 billion.

This proposed sale will support the foreign policy and national security objectives of the United States. Singapore is a strategic friend and Major Security Cooperation Partner and an important force for political stability and economic progress in the Asia Pacific region.

This proposed sale of F-35s will augment Singapore's operational aircraft inventory and enhance its air-to-air and air-to-ground self-defense capability, adding to an effective deterrence to defend its borders and contribute to coalition operations with other allied and partner forces. Singapore will have no difficulty absorbing these aircraft into its armed forces.

The proposed sale of this aircraft and support will not alter the basic military balance in the region.

The prime contractors will be Lockheed Martin Aeronautics Company, Fort Worth, Texas, and Pratt and Whitney Military Engines, East Hartford, Connecticut. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Singapore.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The F-35B Short Take-Off and Vertical Landing (STOVL) aircraft is a single-seat, single-engine, all-weather, stealth, fifth-generation, multirole aircraft. It contains sensitive technology including the low observable airframe/outer mold line, the Pratt and Whitney F135 engine, AN/APG-81 radar, an integrated core processor central computer, mission systems/electronic warfare suite, a multiple sensor suite, technical data/documentation, and associated software. Sensitive elements of the F-35B are also included in operational flight and maintenance trainers.

a. The Pratt and Whitney F135 engine is a single 40,000-lb thrust class engine designed for the F-35 and assures highly reliable, affordable performance. The engine is designed to be utilized in all F-35 variants, providing unmatched commonality and supportability throughout the worldwide base of F-35 users. The Short Takeoff and Vertical Landing (STOVL) propulsion configuration consists of the main engine, diverter-less supersonic inlet, a three (3) Bearing Swivel Module, Roll Posts and Duct Assembly System, and Lift Fan.

b. The AN/APG-81 Active Electronically Scanned Array (AESA) is a high processing power/high transmission power electronic array capable of detecting air and ground targets from a greater distance than mechanically scanned array radars. It also contains a synthetic aperture radar (SAR), which creates high-resolution ground maps and provides weather data to the pilot, and provides air and ground tracks to the mission system, which uses it as a component to fuse sensor data.

c. The Electro-Optical Targeting System (EOTS) provides long-range detection and tracking as well as an infrared search and track (IRST) and forward-looking infrared (FLIR) capability for precision tracking, weapons delivery, and bomb damage assessment (BDA). The EOTS replaces multiple separate internal or podded systems typically found on legacy aircraft.

d. The Electro-Optical Distributed Aperture System (EODAS) provides the pilot with full spherical coverage for air-to-air and air-to-ground threat awareness, day/night vision enhancements, a fire control capability, and precision tracking of wingmen/friendly aircraft. The EODAS provides data directly to the pilot's helmet as well as the mission system.

e. The Electronic Warfare (EW) system is a reprogrammable, integrated system that provides radar warning and electronic support measures (ESM) along with a fully integrated countermeasures (CM) system. The EW system is the primary subsystem used to enhance situational awareness, targeting support and self-defense through the search,

intercept, location, and identification of inbound emitters and to automatically counter TR and RF threats.

f. The Command, Control, Communications, Computers and Intelligence/Communications, Navigation, and Identification (C4I/CNI) system provides the pilot with unmatched connectivity to flight members, coalition forces, and the battlefield. It is an integrated subsystem designed to provide a broad spectrum of secure, anti-jam voice and data communications, precision radio navigation and landing capability, self-identification, beyond visual range target identification, and connectivity to off-board sources of information. It also includes an inertial navigation and global positioning system (GPS) for precise location information. The functionality is tightly integrated within the mission system to enhance efficiency.

g. The aircraft C4I/CNI system includes two data links, the Multi-Function Advanced Data Link (MADL) and Link 16. The MADL is designed specifically for the F-35 and allows for stealthy communications between F-35s. Link 16 data link equipment allows the F-35 to communicate with legacy aircraft using widely distributed J-series message protocols.

h. The F-35 Autonomic Logistics Global Sustainment (ALGS) provides a fully integrated logistics management solution. ALGS integrates a number of functional areas including supply chain management, repair, support equipment, engine support, and training. The ALGS infrastructure employs a state-of-the-art information system that provides real-time, decision-worthy information for sustainment decisions by flight line personnel. Prognostic health monitoring technology is integrated with the air system and is crucial to predictive maintenance of vital components.

i. The F-35 Autonomic Logistics Information System (ALIS) provides an intelligent information infrastructure that binds all the key concepts of ALGS into an effective support system. ALIS establishes the appropriate interfaces among the F-35 Air Vehicle, the warfighter, the training system, government information technology (IT) systems, and supporting commercial enterprise systems. Additionally, ALIS provides a comprehensive tool for data collection and analysis, decision support, and action tracking.

j. The F-35 Training System includes several training devices to provide integrated training for pilots and maintainers. The pilot training devices include a Full Mission Simulator (FMS) and Deployable Mission Rehearsal Trainer (DMRT). The maintainer training devices include an Aircraft Systems Maintenance Trainer (ASMT), Ejection System Maintenance Trainer (ESMT), Outer Mold Line (OML) Lab, Flexible Linear Shaped Charge (FLSC) Trainer, F135 Engine Module Trainer, and Weapons Loading Trainer (WLT). The F-35 Training System can be integrated, where both pilots and maintainers learn in the same Integrated Training Center (ITC). Alternatively, the pilots and maintainers can train in separate facilities (Pilot Training Center and Maintenance Training Center).

k. Other subsystems, features, and capabilities include the F-35's low observable airframe, Integrated Core Processor (ICP) Central Computer, Helmet Mounted Display System (HMDS), Pilot Life Support System, Off-Board Mission Support (OMS) System, and publications/maintenance manuals. The HMDS provides a fully sunlight readable, binocular display presentation of aircraft information projected onto the pilot's helmet visor. The use of a night vision camera integrated into the helmet eliminates the need for separate Night Vision Goggles (NVG).

The Pilot Life Support System provides a measure of Pilot Chemical, Biological, and Radiological Protection through use of an On-Board Oxygen Generating System (OBOGS); and an escape system that provides additional protection to the pilot. OBOGS takes the Power and Thermal Management System (PTMS) air and enriches it by removing gases (mainly nitrogen) by adsorption, thereby increasing the concentration of oxygen in the product gas and supplying breathable air to the pilot. The OMS provides a mission planning, mission briefing, and a maintenance/intelligence/tactical debriefing platform for the F-35.

2. The Reprogramming Center is located in the U.S. and provides F-35 customers a means to update F-35 electronic warfare databases.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures, which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Singapore can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

5. All defense articles and services listed on this transmittal have been authorized for release and export to the Government of Singapore.

TRIBUTE TO BRIDGETT FREY

Mr. VAN HOLLEN. Mr. President, I rise to recognize an outstanding member of my staff who is moving on to pursue other opportunities, my longtime communications director, Bridgett Frey.

Bridgett joined my office at the start of 2009, when President Barack Obama was first inaugurated and I was serving in the House of Representatives. Things were so busy then that her interview took place in a hallway in the Capitol. She may have recognized that as a sign of things to come, but I am grateful she took the job anyway.

Through the decade that has followed, Bridgett has been a dedicated staffer and trusted adviser. Regardless of the issue of the day—from local issues like Federal grant funding and helping struggling auto dealers, to national issues like healthcare reform and economic policy, to international issues like Russian election interference and North Korean sanctions—she helped ensure that my office communicates clearly and effectively about our work in Congress. She has worked tirelessly to inform the public about the policy changes we have achieved and those we still hope to accomplish.

Whenever I took on a new challenge, Bridgett was there to help. She led communications in my personal office, as well as working with Speaker

PELOSI's team to help freshman communications directors learn the ropes of Capitol Hill when I was assistant to the Speaker. She then took on a new challenge and dual role when I became ranking member of the House Budget Committee. From budget battles to the not-so-Super Committee, she was always up to the task. She took a leave of absence to help in my 2016 campaign for the Senate and then moved across the Capitol to run the communications operation in my Senate office. She has approached all of it with intelligence, sharp instincts, sound judgment, and a sense of humor.

Bridgett has built a reputation for being hard-charging and forthright, and reporters respect her responsiveness and honesty. She has coordinated closely with all aspects of my team, helping to drive both policy work and State outreach efforts, as well as with countless offices in both the House and the Senate. She has always provided me with honest and thoughtful advice and counsel. She has an uncanny instinct for getting to the heart of any issue.

As Bridgett seeks new challenges outside our office, I know she will continue to grow in her professional career. It stems from a love of politics that she got from her father and an ethos of hard work from her mother. I deeply appreciate her many years of dedicated service to the people of Maryland and the Congress. Our entire team will miss her, but we all extend our warmest wishes as she takes on new adventures.

ADDITIONAL STATEMENTS

TRIBUTE TO TIM McALLISTER

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Tim McAllister, a 96-year-old veteran who served in World War II. Tim is currently the oldest veteran living in Judith Basin County.

Tim is a humble man who speaks quietly about his military service. In fact, he spends more time reflecting on the service of his two brothers, both of whom were soldiers in the D-Day invasion at Normandy. Tim's military service took him to the South Pacific, where he was engaged in the liberation of the Philippines with the American Division in the region of Cebu City.

Tim's impact on the community is pronounced. This past November, Tim wasn't able to attend the Veterans Day celebration at the local elementary school, and his presence was missed. Because of his absence, students in first and second grade at the school made a massive card to thank him for his service and delivered it to his home. This small act of kindness was very meaningful to Tim.

Tim's roots in Montana run strong and deep. His father rode the range with the legendary Charlie M. Russell. Tim carried on those western values

from his father and developed a love for ranching and horses. Tim truly understands and loves the Montana way of life.

I am proud of Tim for his service to our country and his tremendous impact on his community. I am confident his legacy of service will live on for generations to come, and I am honored to recognize him today.●

TRIBUTE TO CALVIN BAKER

• Ms. MCSALLY. Mr. President, in April of 1981, President George H.W. Bush said "think about every problem, every challenge, we face. The solution to each starts with education." These words were true then, and they are just as true today. Education is the bedrock of our society, and it allows our country to advance.

It is difficult to think of someone who exemplifies President Bush's words more than Vail School District Superintendent Calvin Baker. I have been privileged to get to know Cal and his wife Nancy over the last many years. I also live in Vail School District—VSD—so I have seen the impact he has made in our community firsthand.

Cal moved back to Arizona in 1987 to become the principal of the only school in the Vail School District, serving 500 students. He was appointed as the superintendent of the district in 1988 and has been at the helm ever since. During his nearly 33 years of service to students and families in our community, Cal led the growth to now 22 schools serving over 14,000 students. The growth was not by accident. Families want to move to VSD so their kids can experience the world-class educational experience thanks to Cal's extraordinary leadership and success.

As with any organization, leadership matters, and for effective leadership, character matters. Calvin Baker sets the example of integrity, selfless service, and humility for all to follow. He is truly a good man.

In his tenure, Cal built an impressive team of educators and support staff and created a culture of innovation, parent involvement, and dedication to students. Cal's vision for success was based on the principle that education is a community effort. He has been the glue that kept our growing and diverse community together united with a common goal of educational excellence. In a recent letter Cal sent to parents in his district, he said, "I encourage each of you to invest deeply in your child's education and our local schools. It is that investment that is the 'secret sauce' of Vail's success."

Calvin Baker is a trailblazer on innovation in education for so many other districts in the State and country to follow. Empire High School was the first school in the United States to eliminate textbooks in favor of computers. He pioneered the Beyond Textbooks program that combines Vail's successful instructional methodology

with an online delivery system. Cal didn't just want Vail students to benefit from this effective approach. Now, 115 school districts across Arizona and six other States use this program, some of which have become top performing districts in their States.

Baker's creative and visionary leadership didn't stop there. When enrollment in the district surpassed capacity, he developed a year-round track system to ensure educational standards were high while new infrastructure was planned and built. Under his leadership, Vail schools are consistently labeled as "A+" by the Arizona Department of Education.

Calvin Baker's legacy is immense and immeasurable. It will continue on with the thousands of children in a generation who received an amazing education in Vail School District under his leadership, propelling them on a path of opportunity for their futures. Cal is the longest serving superintendent of any school district in Arizona and has left an indelible mark on education for Arizona and the country. Appropriately, Pima County passed a resolution naming December 20 as Calvin Baker Appreciation Day, an honor in which Cal is more than deserving.

Last year, Cal confronted another challenge when he was diagnosed with multiple myeloma. His example of faith, grit, and courage as he faced the diagnosis and treatment continues to be an inspiration to us all.

I want to personally thank Cal for his service and wish him, Nancy, and their whole family all the best in his much-deserved retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2881. An act to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

H.R. 3763. An act to direct the Federal Government to provide assistance and technical expertise to enhance the representation and leadership of the United States at international standards-setting bodies that set standards for equipment, systems, software, and virtually-defined networks that support 5th and future generations mobile telecommunications systems and infrastructure, and for other purposes.

H.R. 4500. An act to direct the Assistant Secretary for Communications and Information to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies, and for other purposes.

H.R. 5065. An act to amend the Small Business Act to provide re-entry entrepreneurship counseling and training services for formerly incarcerated individuals, and for other purposes.

H.R. 5130. An act to amend the Small Business Act to adjust the employment size standard requirements for determining whether a manufacturing concern is a small business concern, and for other purposes.

H.R. 5146. An act to amend the Small Business Act to require contracting officers to take a small business concern's past performance as part of a joint venture into account when evaluating the small business concern, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3763. An act to direct the Federal Government to provide assistance and technical expertise to enhance the representation and leadership of the United States at international standards-setting bodies that set standards for equipment, systems, software, and virtually-defined networks that support 5th and future generations mobile telecommunications systems and infrastructure, and for other purposes; to the Committee on Foreign Relations.

H.R. 4500. An act to direct the Assistant Secretary for Communications and Information to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5065. An act to amend the Small Business Act to provide re-entry entrepreneurship counseling and training services for formerly incarcerated individuals, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 5130. An act to amend the Small Business Act to adjust the employment size standard requirements for determining whether a manufacturing concern is a small business concern, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 5146. An act to amend the Small Business Act to require contracting officers to take a small business concern's past performance as part of a joint venture into account when evaluating the small business concern, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2881. An act to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3700. A communication from the Deputy Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Forfeiture Proceedings" (DA 19-1325) received in the Office of the President of the Senate on January 8, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3701. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2019; to the Committee on Commerce, Science, and Transportation.

EC-3702. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Elemental Mercury Management and Storage Fees" ((RIN1903-AA11) (10 CFR Part 955)) received in the Office of the President of the Senate on January 8, 2020; to the Committee on Energy and Natural Resources.

EC-3703. A communication from the Assistant General Counsel for Legislation, Office of the General Counsel, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (10 CFR Parts 207, 218, 429, 431, 490, 501, 601, 820, 824, 851, 1013, 1017, and 1050) received in the Office of the President of the Senate on January 8, 2020; to the Committee on Energy and Natural Resources.

EC-3704. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for General Service Incandescent Lamps" ((RIN1904-AE76) (10 CFR Part 430)) received in the Office of the President of the Senate on January 8, 2020; to the Committee on Energy and Natural Resources.

EC-3705. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3706. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-184, "Alcoholic Beverage Enforcement Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3707. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-185, "Alcoholic Beverage Control Board License Categories, Endorsements, and Hourly and Percentage Rate Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3708. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 23-186, "Alcoholic Beverage Procedural and Technical Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3709. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-187, "Charter School Property Tax Clarification Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3710. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-188, "Manufacturer and Pub Permit Parity Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3711. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-189, "Medical Marijuana Plant Count Elimination Temporary Amendment Act of 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3712. A communication from the Census Bureau Federal Register Liaison Officer, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Suspension of the Population Estimates Challenge Program" (RIN0607-AA57) received in the Office of the President of the Senate on January 8, 2020; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-174. A petition from a citizen of the State of Texas relative to a constitutional amendment; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 876, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, and for other purposes (Rept. No. 116-201).

Report to accompany S. 2668, a bill to establish a program for research, development, and demonstration of solar energy technologies, and for other purposes (Rept. No. 116-202).

Report to accompany S. 2368, a bill to amend the Atomic Energy Act of 1954 and the Energy Policy Act of 2005 to support licensing and relicensing of certain nuclear facilities and nuclear energy research, demonstration, and development, and for other purposes (Rept. No. 116-203).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. BOOKER, and Ms. DUCKWORTH):

S. 3170. A bill to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, and Mr. CARPER):

S. 3171. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MANCHIN (for himself, Mr. JONES, Mr. KAINE, Mr. BROWN, Mr. WARNER, and Mr. CASEY):

S. 3172. A bill to amend the Internal Revenue Code of 1986 to ensure the solvency of the Black Lung Disability Trust Fund by extending the excise tax on coal; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRAMER, Mr. SCOTT of Florida, Mrs. HYDE-SMITH, Mrs. BLACKBURN, Mr. INHOFE, Ms. ERNST, Mr. TILLIS, Mr. DAINES, Mr. SASSE, Mr. PERDUE, Mr. COTTON, Mr. WICKER, Mr. RUBIO, Mr. SCOTT of South Carolina, Mr. ROBERTS, and Mr. MORAN):

S. 3173. A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MARKEY, Mr. DURBIN, Mr. REED, Mr. CARDIN, and Ms. HARRIS):

S. 3174. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the sale and marketing of tobacco products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO:

S. 3175. A bill to amend SAFETEA-LU to improve the Intelligent Transportation System Program Advisory Committee, to require information and resources for the development of local smart communities, to help establish a 21st century transportation workforce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. COONS):

S. 3176. A bill to amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself and Mr. LANKFORD):

S. 3177. A bill to provide the Inspector General of the Department of Veterans Affairs testimonial subpoena authority, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself, Mr. WYDEN, and Mr. MENENDEZ):

S. 3178. A bill to amend the Internal Revenue Code of 1986 to modify the limitation on deduction of State and local taxes, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. CAPITO):

S. 3179. A bill to establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING:

S. 3180. A bill to amend the Federal Food, Drug, and Cosmetic Act to restrict direct-to-

consumer drug advertising; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself, Mr. SCHATZ, Ms. HIRONO, and Mr. SUL-LIVAN):

S. 3181. A bill to amend the Internal Revenue Code of 1986 to expand the new markets tax credit to assist Native American communities, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 65. A joint resolution providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 66. A joint resolution providing for the appointment of Denise O'Leary as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

By Mr. MCCONNELL (for Mr. PERDUE (for himself, Mr. BOOZMAN, and Mr. LEAHY):

S.J. Res. 67. A joint resolution providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

By Mr. KAINE (for himself, Mr. DURBIN, Mr. LEE, and Mr. PAUL):

S.J. Res. 68. A joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRUZ (for himself, Mr. COTTON, Ms. MCSALLY, Ms. MURKOWSKI, Mr. CRAMER, Mr. GRAHAM, Mr. BARRASSO, Mr. RUBIO, Mr. CORNYN, Mrs. HYDE-SMITH, Mr. BLUNT, Mr. TOOMEY, Mr. WICKER, Ms. ERNST, Mr. HOEVEN, Mr. TILLIS, Mrs. CAPITO, Mr. SCOTT of Florida, Mr. DAINES, Mr. BRAUN, Mr. HAWLEY, Mr. KENNEDY, Mrs. LOEFFLER, Mr. PERDUE, Mrs. BLACKBURN, Mr. SASSE, Mr. SULLIVAN, Mrs. FISCHER, Mr. ROBERTS, Mr. INHOFE, Mr. GRASSLEY, Mr. BOOZMAN, Mr. PORTMAN, Mr. RISCH, Mr. JOHNSON, Mr. ROUNDS, Mr. LANKFORD, Mr. CASSIDY, Mr. ENZI, Mr. SCOTT of South Carolina, Mr. SHELBY, Mr. CRAPO, Mr. GARDNER, and Mr. MCCONNELL):

S. Res. 466. A resolution honoring the members of the Armed Forces and the intelligence community of the United States who carried out the mission that killed Qasem Soleimani, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mrs. BLACKBURN, Mrs. CAPITO, Mr. CRAMER, Mr. CORNYN, Mr. PERDUE, Mr. PORTMAN, Mr. SHELBY, Mr. BRAUN, Mrs. LOEFFLER, Mr. SCOTT of Florida, Mrs. HYDE-SMITH, Mr. DAINES, Mr. RUBIO, Mr. INHOFE, Mr. CRUZ, Ms. ERNST, Mr. TILLIS, Mr. BOOZMAN, Mr. LANKFORD, Mr. SCOTT of South Carolina, Mrs. FISCHER, Mr. SASSE, and Mr. HOEVEN):

S. Res. 467. A resolution expressing the sense of the Senate that the House of Rep-

resentatives should, consistent with its constitutional obligations, immediately transmit the 2 articles of impeachment against President Donald J. Trump passed by the House of Representatives on December 18, 2019, under House Resolution 755; to the Committee on Rules and Administration.

By Mr. UDALL:

S. Con. Res. 33. A concurrent resolution directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. WICKER, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 109, a bill to prohibit taxpayer funded abortions.

S. 130

At the request of Mr. SASSE, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 130, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 160

At the request of Mr. GRAHAM, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 160, a bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

S. 578

At the request of Mr. COTTON, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 578, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 605

At the request of Ms. KLOBUCHAR, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 605, a bill to assist States in carrying out projects to expand the child care workforce and child care facilities in the States, and for other purposes.

S. 754

At the request of Mr. CRAPO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 754, a bill to encourage partnerships among public agencies and other interested parties to promote fish conservation, and for other purposes.

S. 933

At the request of Mr. WHITEHOUSE, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 933, a bill to improve data collection and monitoring of the Great Lakes, oceans, bays, estuaries, and coasts, and for other purposes.

S. 944

At the request of Mr. SCHATZ, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 944, a bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes.

S. 1039

At the request of Mr. UDALL, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1039, a bill to limit the use of funds for kinetic military operations in or against Iran.

S. 1186

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1186, a bill to promote democracy and human rights in Burma, and for other purposes.

S. 1190

At the request of Mrs. CAPITO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1190, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1246

At the request of Mr. KAINE, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1246, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1374

At the request of Ms. MCSALLY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1374, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes.

S. 1554

At the request of Mr. BLUNT, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1554, a bill to provide for an automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 1772

At the request of Mr. YOUNG, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1772, a bill to establish the Task Force on the Impact of the

Affordable Housing Crisis, and for other purposes.

S. 2233

At the request of Mr. SCHATZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2233, a bill to nullify the effect of the recent executive order that requires Federal agencies to share citizenship data.

S. 2321

At the request of Mr. BLUNT, the names of the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Florida (Mr. RUBIO), the Senator from Wyoming (Mr. ENZI) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2529

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2529, a bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to modify provisions relating to whistleblower incentives and protection, and for other purposes.

S. 2661

At the request of Ms. BALDWIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2661, a bill to amend the Communications Act of 1934 to designate 9-8-8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2892

At the request of Ms. HASSAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2892, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions to help combat the opioid crisis.

S. 2898

At the request of Mr. INHOFE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2989

At the request of Mr. WYDEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2989, a bill to amend title XI of the Social Security Act to clarify the mailing requirement relating to social security account statements.

S. 3040

At the request of Ms. ROSEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S.

3040, a bill to amend the Higher Education Act of 1965 to include teacher preparation for computer science in elementary and secondary education.

S. 3056

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3056, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 3085

At the request of Mr. CRAPO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3085, a bill to amend title XVIII of the Social Security Act to modernize the payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 3102

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3102, a bill to require the Bureau of Economic Analysis of the Department of Commerce to provide estimates relating to the distribution of aggregate economic growth across specific percentile groups of income.

S.J. RES. 6

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Ms. WARREN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S.J. Res. 6, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 15

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S.J. Res. 15, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 64

At the request of Mr. MERKLEY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 64, a joint resolution relating to the use of military force against the Islamic Republic of Iran.

S. CON. RES. 32

At the request of Mr. MARKEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Con. Res. 32, a concurrent resolution expressing the sense of Congress that attacks on cultural sites are war crimes.

S. RES. 463

At the request of Mr. HAWLEY, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. Res. 463, a resolution amending the Rules of Procedure and

Practice in the Senate When Sitting on Impeachment Trials.

S. RES. 465

At the request of Mr. MARKEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 465, a resolution condemning threats by President Donald J. Trump to violate the law of armed conflict with respect to Iran.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself, Mr. WYDEN, and Mr. MENENDEZ):

S. 3178. A bill to amend the Internal Revenue Code of 1986 to modify the limitation on deduction of State and local taxes, and for other purposes; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Restoring Tax Fairness for States and Localities Act”.

SEC. 2. ELIMINATION FOR 2019 OF MARRIAGE PENALTY IN LIMITATION ON DEDUCTION OF STATE AND LOCAL TAXES.

(a) IN GENERAL.—Section 164(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(7) SPECIAL RULE FOR LIMITATION ON INDIVIDUAL DEDUCTIONS FOR 2019.—In the case of a taxable year beginning after December 31, 2018, and before January 1, 2020, if the adjusted gross income of the taxpayer for such taxable year does not exceed \$100,000,000, paragraph (6) shall be applied by substituting ‘(\$20,000 in the case of a joint return)’ for ‘(\$5,000 in the case of a married individual filing a separate return)’.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 3. ELIMINATION FOR 2020 AND 2021 OF LIMITATION ON DEDUCTION OF STATE AND LOCAL TAXES.

(a) IN GENERAL.—Section 164(b) of the Internal Revenue Code of 1986, as amended by section 2, is further amended by adding at the end the following new paragraph:

“(8) SUSPENSION OF DOLLAR LIMITATION ON STATE AND LOCAL TAXES FOR 2020 AND 2021.—

“(A) IN GENERAL.—In the case of any taxable year beginning in 2020 or 2021, subparagraph (B) of paragraph (6) shall not apply.

“(B) EXCEPTION FOR CERTAIN HIGH-INCOME TAXPAYERS.—Subparagraph (A) shall not apply to any taxpayer for any taxable year if the adjusted gross income of such taxpayer for such taxable year exceeds \$100,000,000.”

(b) CONFORMING AMENDMENTS.—Section 164(b)(6) of the Internal Revenue Code of 1986 is amended—

(1) by striking “For purposes of subparagraph (B)” and inserting “For purposes of this section”;

(2) by striking “January 1, 2018” and inserting “January 1, 2022”;

(3) by striking “December 31, 2017, shall” and inserting “December 31, 2021, shall”;

(4) by adding at the end the following: “For purposes of this section, in the case of State

or local taxes with respect to any real or personal property paid during a taxable year beginning in 2020 or 2021, the Secretary shall prescribe rules which treat all or a portion of such taxes as paid in a taxable year or years other than the taxable year in which actually paid as necessary or appropriate to prevent the avoidance of the limitations of this subsection.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after December 31, 2019.

SEC. 4. INCREASE IN DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) INCREASE.—Section 62(a)(2)(D) of the Internal Revenue Code of 1986 is amended by striking “\$250” and inserting “\$1,000”.

(b) CONFORMING AMENDMENTS.—Section 62(d)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking “2015” and inserting “2019”;

(2) by striking “\$250” and inserting “\$1,000”;

(3) in subparagraph (B), by striking “2014” and inserting “2018”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 5. ABOVE-THE-LINE DEDUCTION ALLOWED FOR CERTAIN EXPENSES OF FIRST RESPONDERS.

(a) IN GENERAL.—Section 62(a)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(F) CERTAIN EXPENSES OF FIRST RESPONDERS.—The deductions allowed by section 162 which consist of expenses, not in excess of \$1,000, paid or incurred by a first responder—

“(i) as tuition or fees for the participation of the first responder in professional development courses related to service as a first responder; or

“(ii) for uniforms used by the first responder in service as a first responder.”

(b) FIRST RESPONDER DEFINED.—Section 62(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) FIRST RESPONDER.—For purposes of subsection (a)(2)(F), the term ‘first responder’ means, with respect to any taxable year, any individual who is employed as a law enforcement officer, firefighter, paramedic, or emergency medical technician for at least 1,000 hours during such taxable year.”

(c) INFLATION ADJUSTMENT.—Section 62(d)(3) of the Internal Revenue Code of 1986, as amended by section 4, is further amended by striking “the \$1,000 amount in subsection (a)(2)(D)” and inserting “the \$1,000 amount in each of subparagraphs (D) and (F) of subsection (a)(2)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 6. INCREASE OF TOP MARGINAL INDIVIDUAL INCOME TAX RATE UNDER TEMPORARY RULES.

(a) IN GENERAL.—The tables contained in subparagraphs (A), (B), (C), (D), and (E) of section 1(j)(2) of the Internal Revenue Code of 1986 are each amended by striking “37%” and inserting “39.6%” and—

(1) in subparagraph (A)—

(A) by striking “\$600,000” each place such term appears and inserting “\$479,000”; and

(B) by striking “\$161,379” and inserting “\$119,029”;

(2) in subparagraph (B)—

(A) by striking “\$500,000” each place such term appears and inserting “\$452,400”; and

(B) by striking “\$149,298” and inserting “\$132,638”;

(3) in subparagraph (C)—

(A) by striking “\$500,000” each place such term appears and inserting “\$425,800”; and

(B) by striking “\$150,689.50” and inserting “\$124,719.50”; and

(4) in subparagraph (D)—

(A) by striking “\$300,000” each place such term appears and inserting “\$239,500”; and

(B) by striking “\$80,689.50” and inserting “\$59,514.50”.

(b) CONFORMING AMENDMENTS.—

(1) Section 1(j)(4)(B)(iii) of the Internal Revenue Code of 1986 is amended—

(A) in the matter preceding subclause (I), by striking “37 percent” and inserting “39.6 percent”;

(B) in subclause (II), by striking “37-percent bracket” and inserting “39.6-percent bracket”;

(C) in the heading, by striking “37-PERCENT BRACKET” and inserting “39.6-PERCENT BRACKET”.

(2) Section 1(j)(4)(C) of such Code is amended—

(A) in clause (i)(II), by striking “paragraph (5)(B)(i)(IV)” and inserting “paragraph (5)(B)(iv)”;

(B) by amending clause (ii) to read as follows:

“(ii) the amount which would (without regard to this paragraph) be taxed at a rate below 39.6 percent shall not be more than the sum of—

“(I) the earned taxable income of such child, plus

“(II) the maximum dollar amount for the 35-percent rate bracket for estates and trusts.”

(3) The heading of section 1(j)(5) of such Code is amended to read as follows: “APPLICATION OF ZERO PERCENT CAPITAL GAIN RATE BRACKETS”.

(4) Subparagraphs (A) and (B) of section 1(j)(5) of such Code are amended to read as follows:

“(A) IN GENERAL.—Subsection (h)(1)(B)(i) shall be applied by substituting ‘below the maximum zero rate amount’ for ‘which would (without regard to this paragraph) be taxed at a rate below 25 percent’.

“(B) MAXIMUM ZERO RATE AMOUNT DEFINED.—For purposes of subparagraph (A), the term ‘maximum zero rate amount’ means—

“(i) in the case of a joint return or surviving spouse, \$77,200;

“(ii) in the case of an individual who is a head of household (as defined in section 2(b)), \$51,700;

“(iii) in the case of any other individual (other than an estate or trust), an amount equal to ½ of the amount in effect for the taxable year under clause (i); and

“(iv) in the case of an estate or trust, \$2,600.”

(5) Section 1(j)(5)(C) of such Code is amended by striking “clauses (i) and (ii) of”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

(d) SECTION 15 NOT TO APPLY.—Section 15 of the Internal Revenue Code of 1986 shall not apply to any change in a rate of tax by reason of any amendment made by this section.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 65. A joint resolution providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

S.J. RES. 65

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with

section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John Fahey of Massachusetts on February 20, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 20, 2020, or the date of the enactment of this joint resolution.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 66. A joint resolution providing for the appointment of Denise O'Leary as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

S.J. RES. 66

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Barbara M. Barrett of Arizona on October 17, 2019, is filled by the appointment of Denise O'Leary of Colorado. The appointment is for a term of six years, beginning on the date of the enactment of this joint resolution

By Mr. MCCONNELL (for Mr. PERDUE (for himself, Mr. BOOZMAN, and Mr. LEAHY)):

S.J. Res. 67. A joint resolution providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

S.J. RES. 67

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Risa Lavizzo-Mourey of Pennsylvania on February 21, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 21, 2020, or the date of enactment of this joint resolution.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 466—HONORING THE MEMBERS OF THE ARMED FORCES AND THE INTELLIGENCE COMMUNITY OF THE UNITED STATES WHO CARRIED OUT THE MISSION THAT KILLED QASEM SOLEIMANI, AND FOR OTHER PURPOSES

Mr. CRUZ (for himself, Mr. COTTON, Ms. MCSALLY, Ms. MURKOWSKI, Mr. CRAMER, Mr. GRAHAM, Mr. BARRASSO, Mr. RUBIO, Mr. CORNYN, Mrs. HYDESMITH, Mr. BLUNT, Mr. TOOMEY, Mr. WICKER, Ms. ERNST, Mr. HOEVEN, Mr. TILLIS, Mrs. CAPITO, Mr. SCOTT of Florida, Mr. DAINES, Mr. BRAUN, Mr. HAWLEY, Mr. KENNEDY, Mrs. LOEFFLER, Mr. PERDUE, Mrs. BLACKBURN, Mr. SASSE, Mr. SULLIVAN, Mrs. FISCHER,

Mr. ROBERTS, Mr. INHOFE, Mr. GRASSLEY, Mr. BOOZMAN, Mr. PORTMAN, Mr. RISCH, Mr. JOHNSON, Mr. ROUNDS, Mr. LANKFORD, Mr. CASSIDY, Mr. ENZI, Mr. SCOTT of South Carolina, Mr. SHELBY, Mr. CRAPO, Mr. GARDNER, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 466

Whereas, on January 2, 2020, United States personnel killed terrorist leader Qasem Soleimani during the course of a targeted strike against terrorists engaged in planning imminent attacks against United States persons and personnel;

Whereas Qasem Soleimani was the leader of the Islamic Revolutionary Guard Corps-Quds Force (IRGC-QF) terrorist organization, a global terrorism threat to the United States and the international community;

Whereas Qasem Soleimani was the architect of terrorist attacks in Iraq, Afghanistan, and elsewhere that killed hundreds of United States personnel, including with weapons and improvised explosives provided directly by the IRGC-QF;

Whereas Qasem Soleimani planned or supported numerous other deadly terrorist attacks against the United States and its allies, including the 2011 plot to assassinate the Saudi Arabian Ambassador to the United States Adel al-Jubeir while he was in the United States and the December 31, 2019, attack on the United States Embassy in Baghdad, Iraq, as well as planned attacks in Germany, Bosnia, Bulgaria, Kenya, Bahrain, Turkey, and elsewhere;

Whereas, under Presidents George W. Bush and Barack Obama, the Department of the Treasury designated Qasem Soleimani for the imposition of sanctions under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) for plotting to assassinate the Saudi Arabian Ambassador to the United States, under Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction proliferators and their supporters) based on Qasem Soleimani's relationship to the Islamic Revolutionary Guard Corps, and under Executive Order 13572 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to human rights abuses in Syria);

Whereas the valiant members of the United States Armed Forces have courageously and vigorously pursued the IRGC-QF and its affiliates in Iraq, Afghanistan, and around the world;

Whereas the anonymous, unsung heroes of the intelligence community of the United States have pursued the IRGC-QF and its affiliates in Iraq, Afghanistan, and around the world with tremendous dedication, sacrifice, and professionalism;

Whereas, although the death of Qasem Soleimani represents a significant blow to the IRGC-QF and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to the national security of the United States;

Whereas Qasem Soleimani and the IRGC-QF have provided critical support to the regime of Bashar al-Assad in Syria and pursued the targeted killing and ethnic cleansing of hundreds of thousands of Sunni Muslims across the Middle East; and

Whereas the IRGC-QF supports terrorist groups around the world, including Kata'ib Hezbollah, the Taliban, Lebanese Hezbollah, Hamas, Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command, and under Presi-

dents George W. Bush and Donald J. Trump, the Department of the Treasury designated the IRGC-QF for the imposition of sanctions under Executive Order 13224 for providing material support to terrorist organizations and as a foreign terrorist organization: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the death of Qasem Soleimani represents a measure of justice and relief for the families and friends of the hundreds of men and women of the United States who lost their lives in Iraq and Afghanistan, the men and women around the world who have been killed by other attacks sponsored by the Islamic Revolutionary Guard Corps-Quds Force (IRGC-QF), and the men and women of the Armed Forces and the intelligence community of the United States who have sacrificed their lives pursuing Qasem Soleimani and the IRGC-QF;

(2) commends the men and women of the Armed Forces and the intelligence community of the United States for the tremendous commitment, perseverance, professionalism, and sacrifice they displayed in disrupting imminent terrorist attacks planned by Qasem Soleimani;

(3) commends the men and women of the Armed Forces and the intelligence community of the United States for committing themselves to defeating, disrupting, and dismantling the IRGC-QF;

(4) commends the President for ordering the successful operations to locate and eliminate Qasem Soleimani; and

(5) reaffirms its commitment to disrupting, dismantling, and defeating the IRGC-QF and affiliated organizations around the world that threaten the national security of the United States and to bringing terrorists to justice.

SENATE RESOLUTION 467—EXPRESSING THE SENSE OF THE SENATE THAT THE HOUSE OF REPRESENTATIVES SHOULD, CONSISTENT WITH ITS CONSTITUTIONAL OBLIGATIONS, IMMEDIATELY TRANSMIT THE 2 ARTICLES OF IMPEACHMENT AGAINST PRESIDENT DONALD J. TRUMP PASSED BY THE HOUSE OF REPRESENTATIVES ON DECEMBER 18, 2019, UNDER HOUSE RESOLUTION 755

Mr. GRAHAM (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mrs. BLACKBURN, Mrs. CAPITO, Mr. CRAMER, Mr. CORNYN, Mr. PERDUE, Mr. PORTMAN, Mr. SHELBY, Mr. BRAUN, Mrs. LOEFFLER, Mr. SCOTT of Florida, Mrs. HYDESMITH, Mr. DAINES, Mr. RUBIO, Mr. INHOFE, Mr. CRUZ, Ms. ERNST, Mr. TILLIS, Mr. BOOZMAN, Mr. LANKFORD, Mr. SCOTT of South Carolina, Mrs. FISCHER, Mr. SASSE, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on Rules and Administration.:

S. RES. 467

Whereas, pursuant to article I, section 2 of the Constitution of the United States, the House of Representatives "shall have the sole Power of Impeachment";

Whereas, pursuant to article I, section 3 of the Constitution of the United States, the Senate "shall have the sole Power to try all Impeachments";

Whereas, on December 18, 2019, the House of Representatives passed 2 articles of impeachment against President Donald J. Trump;

Whereas, since passage, the Speaker of the House of Representatives has refused to transmit the articles to the Senate, unless the Senate agrees to allow the Speaker of the House of Representatives to dictate the rules of a trial;

Whereas, the Constitution of the United States does not provide the Speaker of the House of Representatives with the power to effectively veto a resolution passed by a duly elected majority of the House of Representatives by refusing to transmit such a resolution to the Senate;

Whereas, the refusal by the Speaker of the House of Representatives to transmit the articles is a flagrant violation of the separation of powers expressly outlined in the bicameral impeachment process under the Constitution of the United States;

Whereas, this inaction by the Speaker of the House of Representatives is a gross infringement on the constitutional authority of the Senate to try impeachments;

Whereas, the refusal by the Speaker of the House of Representatives to transmit the articles is unprecedented for presidential impeachments;

Whereas, refusing to transmit the articles is resulting in the denial of President Trump's day in court; and

Whereas, if allowed to stand, this inaction by the Speaker of the House of Representatives would set a dangerous precedent for the constitutional system of Government in the United States: Now, therefore, be it

Resolved, That the Senate calls on the Speaker of the House of Representatives to immediately appoint impeachment managers and transmit the articles of impeachment to the Senate for disposition consistent with the Constitution of the United States.

SENATE CONCURRENT RESOLUTION 33—DIRECTING THE PRESIDENT PURSUANT TO SECTION 5(C) OF THE WAR POWERS RESOLUTION TO TERMINATE THE USE OF UNITED STATES ARMED FORCES TO ENGAGE IN HOSTILITIES IN OR AGAINST IRAN

Mr. UDALL submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 33

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. TERMINATION OF USE OF UNITED STATES ARMED FORCES TO ENGAGE IN HOSTILITIES IN OR AGAINST IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Government of Iran is a leading state sponsor of terrorism and engages in a range of destabilizing activities across the Middle East. Iranian General Qassem Soleimani was the lead architect of much of Iran's destabilizing activities throughout the world.

(2) The United States has an inherent right to self-defense against imminent armed attacks. The United States maintains the right to ensure the safety of diplomatic personnel serving abroad.

(3) In matters of imminent armed attacks, the executive branch should indicate to Congress why military action was necessary within a certain window of opportunity, the possible harm that missing the window would cause, and why the action was likely to prevent future disastrous attacks against the United States.

(4) The United States has national interests in preserving its partnership with Iraq

and other countries in the region, including by—

(A) combating terrorists, including the Islamic State of Iraq and Syria (ISIS);

(B) preventing Iran from achieving a nuclear weapons capability; and

(C) supporting the people of Iraq, Iran, and other countries throughout the Middle East who demand an end to government corruption and violations of basic human rights.

(5) Over the past eight months, in response to rising tensions with Iran, the United States has introduced over 15,000 additional forces into the Middle East.

(6) When the United States uses military force, the American people and members of the United States Armed Forces deserve a credible explanation regarding such use of military force.

(7) The War Powers Resolution (50 U.S.C. 1541 et seq.) requires the President to consult with Congress “in every possible instance” before introducing United States Armed Forces into hostilities.

(8) Congress has not authorized the President to use military force against Iran.

(b) TERMINATION.—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), Congress hereby directs the President to terminate the use of United States Armed Forces to engage in hostilities in or against Iran or any part of its government or military, unless—

(1) Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces; or

(2) such use of the Armed Forces is necessary and appropriate to defend against an imminent armed attack upon the United States, its territories or possessions, or its Armed Forces, consistent with the requirements of the War Powers Resolution.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to prevent the President from using military force against al Qaeda or associated forces;

(2) to limit the obligations of the executive branch set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.);

(3) to affect the provisions of an Act or joint resolution of Congress specifically authorizing the use of United States Armed Forces to engage in hostilities against Iran or any part of its government or military that is enacted after the date of the adoption of this concurrent resolution;

(4) to prevent the use of necessary and appropriate military force to defend United States allies and partners if authorized by Congress consistent with the requirements of the War Powers Resolution; or

(5) to authorize the use of military force.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1276. Mr. MCCONNELL (for Mr. BARRASSO) proposed an amendment to the bill H.R. 925, to improve protections for wildlife, and for other purposes.

SA 1277. Mr. MCCONNELL (for Mr. BARRASSO) proposed an amendment to the bill H.R. 925, *supra*.

SA 1278. Mr. MCCONNELL (for Mr. SULIVAN (for himself, Mr. WHITEHOUSE, and Mr. MENENDEZ)) proposed an amendment to the bill S. 1982, to improve efforts to combat marine debris, and for other purposes.

TEXT OF AMENDMENTS

SA 1276. Mr. MCCONNELL (for Mr. BARRASSO) proposed an amendment to the bill H.R. 925, to improve protections for wildlife, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “America’s Conservation Enhancement Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

Sec. 101. Theodore Roosevelt Genius Prize for reducing human-predator conflict.

Sec. 102. Losses of livestock due to depredation by federally protected species.

Sec. 103. Depredation permits for black vultures and common ravens.

Sec. 104. Chronic Wasting Disease Task Force.

Sec. 105. Invasive species.

Sec. 106. North American Wetlands Conservation Act.

Sec. 107. National Fish and Wildlife Foundation Establishment Act.

Sec. 108. Modification of definition of sport fishing equipment under Toxic Substances Control Act.

Sec. 109. Reauthorization of Chesapeake Bay Program.

Sec. 110. Reauthorization of Chesapeake Bay Initiative Act of 1998.

Sec. 111. Chesapeake watershed investments for landscape defense.

TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. National Fish Habitat Board.

Sec. 204. Fish Habitat Partnerships.

Sec. 205. Fish Habitat Conservation Projects.

Sec. 206. Technical and scientific assistance.

Sec. 207. Coordination with States and Indian Tribes.

Sec. 208. Interagency Operational Plan.

Sec. 209. Accountability and reporting.

Sec. 210. Effect of this title.

Sec. 211. Nonapplicability of Federal Advisory Committee Act.

Sec. 212. Funding.

Sec. 213. Prohibition against implementation of regulatory authority by Federal agencies through Partnerships.

TITLE III—MISCELLANEOUS

Sec. 301. Sense of the Senate regarding conservation agreements and activities.

Sec. 302. Study to review conservation factors.

Sec. 303. Study and report on expenditures.

Sec. 304. Use of value of land for cost sharing.

TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

SEC. 101. THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.

(a) IN GENERAL.—Section 7001(d) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 742b note; Public Law 116-9) is amended—

(1) in paragraphs (2)(C)(v), (3)(C)(v), (4)(C)(v), (5)(C)(v), and (6)(C)(v), by striking “paragraph (7)(A)” each place it appears and inserting “paragraph (8)(A)”;

(2) in paragraphs (2)(D)(ii), (2)(F)(ii), (3)(D)(ii), (3)(F)(ii), (4)(D)(ii), (4)(F)(ii), (5)(D)(ii), (5)(F)(ii), (6)(D)(ii), and (6)(F)(ii) by striking “paragraph (7)(B)” each place it appears and inserting “paragraph (8)(B)”;

(3) in paragraph (6)(C)(iv), in the matter preceding clause (i), by striking “subparagraph (C)” and inserting “clause (iii)”;

(4) by redesignating paragraph (7) as paragraph (8);

(5) by inserting after paragraph (6) the following:

“(7) THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.—

“(A) DEFINITIONS.—In this paragraph:

“(i) BOARD.—The term ‘Board’ means the Reducing Human-Predator Conflict Technology Advisory Board established by subparagraph (C)(i).

“(ii) PRIZE COMPETITION.—The term ‘prize competition’ means the Theodore Roosevelt Genius Prize for reducing human-predator conflict established under subparagraph (B).

“(B) AUTHORITY.—Not later than 180 days after the date of enactment of the America’s Conservation Enhancement Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the ‘Theodore Roosevelt Genius Prize for reducing human-predator conflict’—

“(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to reducing the frequency of human-predator conflict using nonlethal means; and

“(ii) to award 1 or more prizes annually for a technological advancement that promotes reducing human-predator conflict using nonlethal means, which may include the application and monitoring of tagging technologies.

“(C) ADVISORY BOARD.—

“(i) ESTABLISHMENT.—There is established an advisory board, to be known as the ‘Reducing Human-Predator Conflict Technology Advisory Board’.

“(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

“(I) predator-human interactions;

“(II) the habitats of large predators;

“(III) biology;

“(IV) technology development;

“(V) engineering;

“(VI) economics;

“(VII) business development and management; and

“(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

“(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

“(I) select a topic;

“(II) issue a problem statement;

“(III) advise the Secretary regarding any opportunity for technological innovation to reduce human-predator conflict using nonlethal means; and

“(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise or interest relating to reducing human-predator conflict using nonlethal means.

“(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

“(I) 1 or more Federal agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(II) 1 or more State agencies with jurisdiction over the management of native wild-

life species at risk due to conflict with human activities;

“(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of native wildlife species at risk due to conflict with human activities; and

“(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activities.

“(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (8)(A).

“(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

“(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

“(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (8)(B).

“(E) JUDGES.—

“(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

“(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

“(F) CONSULTATION WITH NOAA.—The Secretary shall consult with the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, in the case of a cash prize awarded under the prize competition for a technology that addresses conflict between marine predators under the jurisdiction of the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, and humans.

“(G) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

“(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

“(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (8)(B); and

“(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

“(H) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.”; and

(6) in paragraph (8) (as so redesignated)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “or (6)(C)(i)” and inserting “(6)(C)(i), or (7)(C)(i)”; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “or (6)(D)(i)” and inserting “(6)(D)(i), or (7)(D)(i)”; and

(ii) in clause (i)(VII), by striking “and (6)(E)” and inserting “(6)(E), and (7)(E)”.’

(b) SENSE OF CONGRESS.—It is the sense of Congress that data collected from the tagging of predators can inform innovative management of those predators and innovative education activities to minimize human-predator conflict.

SEC. 102. LOSSES OF LIVESTOCK DUE TO DEPRE- DATION BY FEDERALLY PROTECTED SPECIES.

(a) DEFINITIONS.—In this section:

(1) DEPREDACTION.—

(A) IN GENERAL.—The term “depredation” means actual death, injury, or destruction of livestock that is caused by a federally protected species.

(B) EXCLUSIONS.—The term “depredation” does not include damage to real or personal property other than livestock, including—

(i) damage to—

(I) other animals;

(II) vegetation;

(III) motor vehicles; or

(IV) structures;

(ii) diseases;

(iii) lost profits; or

(iv) consequential damages.

(2) FEDERALLY PROTECTED SPECIES.—The term “federally protected species” means a species that is or previously was protected under—

(A) the Act of June 8, 1940 (commonly known as the ‘Bald and Golden Eagle Protection Act’) (54 Stat. 250, chapter 278; 16 U.S.C. 668 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(C) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) LIVESTOCK.—

(A) IN GENERAL.—The term “livestock” means horses, mules and asses, rabbits, llamas, cattle, bison, swine, sheep, goats, poultry, bees, honey and beehives, or any other animal generally used for food or in the production of food or fiber.

(B) INCLUSION.—The term “livestock” includes guard animals actively engaged in the protection of livestock described in subparagraph (A).

(5) PROGRAM.—The term “program” means the grant program established under subsection (b)(1).

(6) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(B) the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

(b) GRANT PROGRAM FOR LOSSES OF LIVESTOCK DUE TO DEPREDACTION BY FEDERALLY PROTECTED SPECIES.—

(1) IN GENERAL.—The Secretaries shall establish a program to provide grants to States and Indian tribes to supplement amounts provided by States, Indian tribes, or State agencies under 1 or more programs established by the States and Indian tribes (including programs established after the date of enactment of this Act)—

(A) to assist livestock producers in carrying out—

(i) proactive and nonlethal activities to reduce the risk of livestock loss due to depredation by federally protected species occurring on—

(I) Federal, State, or private land within the applicable State; or

(II) land owned by, or held in trust for the benefit of, the applicable Indian tribe; and

(ii) research relating to the activities described in clause (i); and

(B) to compensate livestock producers for livestock losses due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian tribe.

(2) ALLOCATION OF FUNDING.—

(A) REPORTS TO THE SECRETARIES.—Not later than September 30 of each year, a State or Indian tribe desiring to receive a grant under the program shall submit to the Secretaries a report describing, for the 1-year period ending on that September 30, the losses of livestock due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian tribe.

(B) ALLOCATION.—The Secretaries shall allocate available funding to carry out this Act among States and Indian tribes for a 1-year period ending on September 30 based on the losses described in the reports submitted for the previous 1-year period ending on September 30 under subparagraph (A).

(3) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), a State or Indian tribe shall—

(A) designate an appropriate agency of the State or Indian tribe to administer the 1 or more programs supplemented by the grant funds;

(B) establish 1 or more accounts to receive grant funds;

(C) maintain files of all claims received and paid under grant-funded programs, including supporting documentation; and

(D) submit to the Secretaries—

(i) annual reports that include—

(I) a summary of claims and expenditures under the program during the year; and

(II) a description of any action taken on the claims; and

(ii) such other reports as the Secretaries may require to assist the Secretaries in determining the effectiveness of assisted activities under this section.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) no State or Indian tribe is required to participate in the program; and

(2) the program supplements, and does not replace or supplant, any State compensation programs for depredation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025, of which—

(1) \$5,000,000 shall be used to provide grants for the purposes described in subsection (b)(1)(A); and

(2) \$10,000,000 shall be used to provide grants for the purpose described in subsection (b)(1)(B).

SEC. 103. DEPREDATION PERMITS FOR BLACK VULTURES AND COMMON RAVENS.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the “Secretary”), may issue depredation permits to livestock producers authorizing takings of black vultures or common ravens otherwise prohibited by Federal law to prevent those vultures or common ravens from taking livestock during the calving season or lambing season.

(b) LIMITED TO AFFECTED STATES OR REGIONS.—The Secretary may issue permits under subsection (a) only to livestock producers in States and regions in which livestock producers are affected or have been affected in the previous year by black vultures or common ravens, as determined by Secretary.

(c) REPORTING.—The Secretary shall require, as a condition of a permit under sub-

section (a), that the permit holder shall report to the appropriate enforcement agencies the takings of black vultures or common ravens pursuant to the permit.

SEC. 104. CHRONIC WASTING DISEASE TASK FORCE.

(a) DEFINITION OF CHRONIC WASTING DISEASE.—In this section, the term “chronic wasting disease” means the animal disease afflicting deer, elk, and moose populations that—

(1) is a transmissible disease of the nervous system resulting in distinctive lesions in the brain; and

(2) belongs to the group of diseases known as transmissible spongiform encephalopathies, which group includes scrapie, bovine spongiform encephalopathy, and Creutzfeldt-Jakob disease.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the United States Fish and Wildlife Service a task force, to be known as the “Chronic Wasting Disease Task Force” (referred to in this subsection as the “Task Force”).

(2) DUTIES.—The Task Force shall—

(A) collaborate with foreign governments to share research, coordinate efforts, and discuss best management practices to reduce, minimize, prevent, or eliminate chronic wasting disease in the United States;

(B) develop recommendations, including recommendations based on findings of the study conducted under subsection (c), and a set of best practices regarding—

(i) the interstate coordination of practices to prevent the new introduction of chronic wasting disease;

(ii) the prioritization and coordination of the future study of chronic wasting disease, based on evolving research needs;

(iii) ways to leverage the collective resources of Federal, State, and local agencies, Indian Tribes, and foreign governments, and resources from private, nongovernmental entities, to address chronic wasting disease in the United States and along the borders of the United States; and

(iv) any other area where containment or management efforts relating to chronic wasting disease may differ across jurisdictions;

(C) draw from existing and future academic and management recommendations to develop an interstate action plan under which States and the United States Fish and Wildlife Service agree to enact consistent management, educational, and research practices relating to chronic wasting disease; and

(D) facilitate the creation of a cooperative agreement by which States and relevant Federal agencies agree to commit funds to implement best practices described in the interstate action plan developed under subparagraph (C).

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Task Force shall be composed of—

(i) 1 representative of the United States Fish and Wildlife Service with experience in chronic wasting disease, to be appointed by the Secretary of the Interior (referred to in this subsection as the “Secretary”);

(ii) 1 representative of the United States Geological Survey;

(iii) 2 representatives of the Department of Agriculture with experience in chronic wasting disease, to be appointed by the Secretary of Agriculture—

(I) 1 of whom shall have expertise in research; and

(II) 1 of whom shall have expertise in wildlife management;

(iv) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has been reported to the appropriate State agency, not

more than 2 representatives, to be nominated by the Governor of the State—

(I) not more than 1 of whom shall be a representative of the State agency with jurisdiction over wildlife management or wildlife disease in the State; and

(II) in the case of a State with a farmed cervid program or economy, not more than 1 of whom shall be a representative of the State agency with jurisdiction over farmed cervid regulation in the State;

(v) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has not been documented, but that has carried out measures to prevent the introduction of chronic wasting disease among those species, not more than 2 representatives, to be nominated by the Governor of the State;

(vi) not more than 2 representatives from an Indian tribe or tribal organization chosen in a process determined, in consultation with Indian tribes, by the Secretary; and

(vii) not more than 5 nongovernmental members with relevant expertise appointed, after the date on which the members are first appointed under clauses (i) through (vi), by a majority vote of the State representatives appointed under clause (iv).

(B) EFFECT.—Nothing in this paragraph requires a State to participate in the Task Force.

(4) CO-CHAIRS.—The Co-Chairs of the Task Force shall be—

(A) the Federal representative described in paragraph (3)(A)(i); and

(B) 1 State representative appointed under paragraph (3)(A)(iv), to be selected by a majority vote of those State representatives.

(5) DATE OF INITIAL APPOINTMENT.—

(A) IN GENERAL.—The members of the Task Force shall be appointed not later than 180 days after the date on which the study is completed under subsection (c).

(B) NOTIFICATION.—On appointment of the members of the Task Force, the Co-Chairs of the Task Force shall notify the Chairs and Ranking Members of the Committees on Environment and Public Works of the Senate and Natural Resources of the House of Representatives.

(6) VACANCIES.—Any vacancy in the members appointed to the Task Force—

(A) shall not affect the power or duty of the Task Force; and

(B) shall be filled not later than 30 days after the date of the vacancy.

(7) MEETINGS.—The Task Force shall convene—

(A) not less frequently than twice each year; and

(B) at such time and place, and by such means, as the Co-Chairs of the Task Force determine to be appropriate, which may include the use of remote conference technology.

(8) INTERSTATE ACTION PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date on which the members of the Task Force are appointed, the Task Force shall submit to the Secretary, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representative on the Task Force, the interstate action plan developed by the Task Force under paragraph (2)(C).

(B) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—To the maximum extent practicable, the Secretary, any other applicable Federal agency, and each applicable State shall enter into a cooperative agreement to fund necessary actions under the interstate action plan submitted under subparagraph (A).

(ii) TARGET DATE.—The Secretary shall make the best effort of the Secretary to enter into any cooperative agreement under

clause (i) not later than 180 days after the date of submission of the interstate action plan under subparagraph (A).

(C) MATCHING FUNDS.—

(i) IN GENERAL.—Subject to clause (ii), for each fiscal year, the United States Fish and Wildlife Service shall provide funds to carry out an interstate action plan through a cooperative agreement under subparagraph (B) in the amount of funds provided by the applicable States.

(ii) LIMITATION.—The amount provided by the United States Fish and Wildlife Service under clause (i) for a fiscal year shall be not greater than \$5,000,000.

(9) REPORTS.—Not later than September 30 of the first full fiscal year after the date on which the first members of the Task Force are appointed, and each September 30 thereafter, the Task Force shall submit to the Secretary, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representatives on the Task Force, a report describing—

(A) progress on the implementation of actions identified in the interstate action plan submitted under paragraph (8)(A), including the efficacy of funding under the cooperative agreement entered into under paragraph (8)(B);

(B) updated resource requirements that are needed to reduce and eliminate chronic wasting disease in the United States;

(C) any relevant updates to the recommended best management practices included in the interstate action plan submitted under paragraph (8)(B) to reduce or eliminate chronic wasting disease;

(D) new research findings and emerging research needs relating to chronic wasting disease; and

(E) any other relevant information.

(C) CHRONIC WASTING DISEASE TRANSMISSION IN CERVIDAE RESOURCE STUDY.—

(1) DEFINITIONS.—In this subsection:

(A) ACADEMY.—The term “Academy” means the National Academy of Sciences.

(B) CERVID.—The term “cervid” means any species within the family Cervidae.

(C) SECRETARIES.—The term “Secretaries” means the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, and the Secretary of the Interior, acting through the Director of the United States Geological Survey, acting jointly.

(2) STUDY.—

(A) IN GENERAL.—The Secretaries shall enter into an arrangement with the Academy under which the Academy shall conduct, and submit to the Secretaries a report describing the findings of, a special resource study to identify the predominant pathways and mechanisms of the transmission of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States.

(B) REQUIREMENTS.—The arrangement under subparagraph (A) shall provide that the actual expenses incurred by the Academy in conducting the study under subparagraph (A) shall be paid by the Secretaries, subject to the availability of appropriations.

(3) CONTENTS OF THE STUDY.—The study under paragraph (2) shall—

(A) with respect to wild, captive, and farmed populations of cervids in the United States, identify—

(i)(I) the pathways and mechanisms for the transmission of chronic wasting disease within live cervid populations and cervid products, which may include pathways and mechanisms for transmission from Canada;

(II) the infection rates for each pathway and mechanism identified under subclause (I); and

(III) the relative frequency of transmission of each pathway and mechanism identified under subclause (I);

(ii)(I) anthropogenic and environmental factors contributing to new chronic wasting disease emergence events;

(II) the development of geographical areas with increased chronic wasting disease prevalence; and

(III) the overall geographical patterns of chronic wasting disease distribution;

(iii) significant gaps in current scientific knowledge regarding the transmission pathways and mechanisms identified under clause (i)(I) and potential prevention, detection, and control methods identified under clause (v);

(iv) for prioritization the scientific research projects that will address the knowledge gaps identified under clause (iii), based on the likelihood that a project will contribute significantly to the prevention or control of chronic wasting disease; and

(v) potential prevention, detection, or control measures, practices, or technologies to be used to mitigate the transmission and spread of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States;

(B) assess the effectiveness of the potential prevention, detection, or control measures, practices, or technologies identified under subparagraph (A)(v); and

(C) review and compare science-based best practices, standards, and guidance regarding the prevention, detection, and management of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States that have been developed by—

(i) the National Chronic Wasting Disease Herd Certification Program of the Animal and Plant Health Inspection Service;

(ii) the United States Geological Survey;

(iii) State wildlife and agricultural agencies, in the case of practices, standards, and guidance that provide practical, science-based recommendations to State and Federal agencies for minimizing or eliminating the risk of transmission of chronic wasting disease in the United States; and

(iv) industry or academia, in the case of any published guidance on practices that provide practical, science-based recommendations to cervid producers for minimizing or eliminating the risk of transmission of chronic wasting disease within or between herds.

(4) DEADLINE.—The study under paragraph (2) shall be completed not later than 180 days after the date on which funds are first made available for the study.

(5) DATA SHARING.—The Secretaries shall share with the Academy, as necessary to conduct the study under paragraph (2), subject to the avoidance of a violation of a privacy or confidentiality requirement and the protection of confidential or privileged commercial, financial, or proprietary information, data and access to databases on chronic wasting disease under the jurisdiction of—

(A) the Veterinary Services Program of the Animal and Plant Health Inspection Service; and

(B) the United States Geological Survey.

(6) REPORT.—Not later than 60 days after the date of completion of the study, the Secretaries shall submit to the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Environment and Public Works of the Senate and the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the findings of the study; and

(B) any conclusions and recommendations that the Secretaries determine to be appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) for the period of fiscal years 2021 through 2025, \$5,000,000 to the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, to carry out administrative activities under subsection (b);

(2) for fiscal year 2021, \$1,200,000 to the Secretary of the Interior, acting through the Director of the United States Geological Survey, to carry out activities to fund research under subsection (c); and

(3) for fiscal year 2021, \$1,200,000 to the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, to carry out activities to fund research under subsection (c).

SEC. 105. INVASIVE SPECIES.

Section 10 of the Fish and Wildlife Coordination Act (16 U.S.C. 666c–1) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

“(i) relevant Federal agencies;”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) in consultation with stakeholders, including nongovernmental organizations and industry;”;

(2) by adding at the end the following:

“(p) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section for each of fiscal years 2021 through 2025—

“(1) \$2,500,000 to the Secretary of the Army, acting through the Chief of Engineers; and

“(2) \$2,500,000 to the Secretary of the Interior.”.

SEC. 106. NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking “not to exceed—” in the matter preceding paragraph (1) and all that follows through paragraph (5) and inserting “not to exceed \$60,000,000 for each of fiscal years 2021 through 2025.”.

SEC. 107. NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT.

(a) BOARD OF DIRECTORS OF FOUNDATION.—(1) IN GENERAL.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:

“(2) APPOINTMENT OF DIRECTORS.—After consulting with the Secretary of Commerce and considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 28 Directors who, to the maximum extent practicable, shall—

“(A) be knowledgeable and experienced in matters relating to the conservation of fish, wildlife, or other natural resources; and

“(B) represent a balance of expertise in ocean, coastal, freshwater, and terrestrial resource conservation.”;

(ii) by striking paragraph (3) and inserting the following:

“(3) TERMS.—Each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.”;

(B) in subsection (g)(2)—

(i) in subparagraph (A), by striking “(A) Officers and employees may not be appointed until the Foundation has sufficient funds to

pay them for their service. Officers” and inserting the following:

“(A) IN GENERAL.—Officers”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) EXECUTIVE DIRECTOR.—The Foundation shall have an Executive Director who shall be—

“(i) appointed by, and serve at the direction of, the Board as the chief executive officer of the Foundation; and

“(ii) knowledgeable and experienced in matters relating to fish and wildlife conservation.”

(2) CONFORMING AMENDMENT.—Section 4(a)(1)(B) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(B)) is amended by striking “Secretary of the Board” and inserting “Executive Director of the Board”.

(b) RIGHTS AND OBLIGATIONS OF FOUNDATION.—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended—

(1) in subsection (c)—

(A) by striking “(c) POWERS.—To carry out its purposes under” and inserting the following:

“(c) POWERS.—

“(1) IN GENERAL.—To carry out the purposes described in”;

(B) by redesignating paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriately;

(C) in subparagraph (D) (as redesignated by subparagraph (B)), by striking “that are insured by an agency or instrumentality of the United States” and inserting “at 1 or more financial institutions that are members of the Federal Deposit Insurance Corporation or the Securities Investment Protection Corporation”;

(D) in subparagraph (E) (as redesignated by subparagraph (B)), by striking “paragraph (3) or (4)” and inserting “subparagraph (C) or (D)”;

(E) in subparagraph (J) (as redesignated by subparagraph (B)), by striking “and” at the end;

(F) by striking subparagraph (K) (as redesignated by subparagraph (B)) and inserting the following:

“(K) to receive and administer restitution and community service payments, amounts for mitigation of impacts to natural resources, and other amounts arising from legal, regulatory, or administrative proceedings, subject to the condition that the amounts are received or administered for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources; and

“(L) to do acts necessary to carry out the purposes of the Foundation.”; and

(G) by striking the undesignated matter at the end and inserting the following:

“(2) TREATMENT OF REAL PROPERTY.—

“(A) IN GENERAL.—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

“(B) ENCUMBERED REAL PROPERTY.—A gift, devise, or bequest may be accepted by the Foundation even though the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

“(3) SAVINGS CLAUSE.—The acceptance and administration of amounts by the Foundation under paragraph (1)(K) does not alter, supersede, or limit any regulatory or statu-

tory requirement associated with those amounts.”;

(2) by striking subsections (f) and (g); and

(3) by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this Act for each of fiscal years 2021 through 2025—

“(A) \$15,000,000 to the Secretary of the Interior;

“(B) \$5,000,000 to the Secretary of Agriculture; and

“(C) \$5,000,000 to the Secretary of Commerce.”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) AMOUNTS FROM FEDERAL AGENCIES.—

“(A) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a), Federal departments, agencies, or instrumentalities are authorized to provide funds to the Foundation through Federal financial assistance grants and cooperative agreements, subject to the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with this Act.

“(B) ADVANCES.—Federal departments, agencies, or instrumentalities may advance amounts described in subparagraph (A) to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

“(C) MANAGEMENT FEES.—The Foundation may assess and collect fees for the management of amounts received under this paragraph.”;

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “FUNDS” and inserting “AMOUNTS”;

(ii) by striking “shall be used” and inserting “may be used”; and

(iii) by striking “and State and local government agencies” and inserting “, State and local government agencies, and other entities”;

(C) by adding at the end the following:

“(3) ADMINISTRATION OF AMOUNTS.—

“(A) IN GENERAL.—In entering into contracts, agreements, or other partnerships pursuant to this Act, a Federal department, agency, or instrumentality shall have discretion to waive any competitive process applicable to the department, agency, or instrumentality for entering into contracts, agreements, or partnerships with the Foundation if the purpose of the waiver is—

“(i) to address an environmental emergency resulting from a natural or other disaster; or

“(ii) as determined by the head of the applicable Federal department, agency, or instrumentality, to reduce administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

“(B) REPORTS.—The Foundation shall include in the annual report submitted under section 7(b) a description of any use of the authority under subparagraph (A) by a Federal department, agency, or instrumentality in that fiscal year.”; and

(3) by adding at the end the following:

“(d) USE OF GIFTS, DEVISES, OR BEQUESTS OF MONEY OR OTHER PROPERTY.—Any gifts, devises, or bequests of amounts or other property, or any other amounts or other property, transferred to, deposited with, or otherwise in the possession of the Foundation pursuant to this Act, may be made

available by the Foundation to Federal departments, agencies, or instrumentalities and may be accepted and expended (or the disposition of the amounts or property directed), without further appropriation, by those Federal departments, agencies, or instrumentalities, subject to the condition that the amounts or property be used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources.”

(d) LIMITATION ON AUTHORITY.—Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by inserting “exclusive” before “authority”.

SEC. 108. MODIFICATION OF DEFINITION OF SPORT FISHING EQUIPMENT UNDER TOXIC SUBSTANCES CONTROL ACT.

Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking “and” at the end;

(2) in clause (vi) by striking the period at the end and inserting “, and”;

(3) by inserting after clause (vi) the following:

“(vii) any sport fishing equipment (as such term is defined in section 4162(a) of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.”

SEC. 109. REAUTHORIZATION OF CHESAPEAKE BAY PROGRAM.

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended by striking subsection (j) and inserting the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) for fiscal year 2020, \$90,000,000;

“(2) for fiscal year 2021, \$90,500,000;

“(3) for fiscal year 2022, \$91,000,000;

“(4) for fiscal year 2023, \$91,500,000; and

“(5) for fiscal year 2024, \$92,000,000.”

SEC. 110. REAUTHORIZATION OF CHESAPEAKE BAY INITIATIVE ACT OF 1998.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312; 112 Stat. 2963; 129 Stat. 2579; 132 Stat. 691) is amended by striking “2019” and inserting “2025”.

SEC. 111. CHESAPEAKE WATERSHED INVESTMENTS FOR LANDSCAPE DEFENSE.

(a) DEFINITIONS.—In this section:

(1) CHESAPEAKE BAY AGREEMENTS.—The term “Chesapeake Bay agreements” means the formal, voluntary agreements—

(A) executed to achieve the goal of restoring and protecting the Chesapeake Bay watershed ecosystem and the living resources of the Chesapeake Bay watershed ecosystem; and

(B) signed by the Chesapeake Executive Council.

(2) CHESAPEAKE BAY PROGRAM.—The term “Chesapeake Bay program” means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay agreements.

(3) CHESAPEAKE BAY WATERSHED.—The term “Chesapeake Bay watershed” means the region that covers—

(A) the Chesapeake Bay;

(B) the portions of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia that drain into the Chesapeake Bay; and

(C) the District of Columbia.

(4) CHESAPEAKE EXECUTIVE COUNCIL.—The term “Chesapeake Executive Council” means the council comprised of—

(A) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia;

(B) the Mayor of the District of Columbia;

(C) the Chair of the Chesapeake Bay Commission; and

(D) the Administrator of the Environmental Protection Agency.

(5) **CHESAPEAKE WILD PROGRAM.**—The term “Chesapeake WILD program” means the nonregulatory program established by the Secretary under subsection (b)(1).

(6) **GRANT PROGRAM.**—The term “grant program” means the Chesapeake Watershed Investments for Landscape Defense grant program established by the Secretary under subsection (c)(1).

(7) **RESTORATION AND PROTECTION ACTIVITY.**—The term “restoration and protection activity” means an activity carried out for the conservation, stewardship, and enhancement of habitat for fish and wildlife—

(A) to preserve and improve ecosystems and ecological processes on which the fish and wildlife depend; and

(B) for use and enjoyment by the public.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) **PROGRAM ESTABLISHMENT.**—

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program, to be known as the “Chesapeake Watershed Investments for Landscape Defense program”.

(2) **PURPOSES.**—The purposes of the Chesapeake WILD program include—

(A) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Chesapeake Bay watershed;

(B) engaging other agencies and organizations to build a broader range of partner support, capacity, and potential funding for projects in the Chesapeake Bay watershed;

(C) carrying out coordinated restoration and protection activities, and providing for technical assistance, throughout the Chesapeake Bay watershed—

(i) to sustain and enhance restoration and protection activities;

(ii) to improve and maintain water quality to support fish and wildlife, habitats of fish and wildlife, and drinking water for people;

(iii) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(iv) to improve opportunities for public access and recreation in the Chesapeake Bay watershed consistent with the ecological needs of fish and wildlife habitat;

(v) to facilitate strategic planning to maximize the resilience of natural ecosystems and habitats under changing watershed conditions;

(vi) to engage the public through outreach, education, and citizen involvement to increase capacity and support for coordinated restoration and protection activities in the Chesapeake Bay watershed;

(vii) to sustain and enhance vulnerable communities and fish and wildlife habitat;

(viii) to conserve and restore fish, wildlife, and plant corridors; and

(ix) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities.

(3) **DUTIES.**—In carrying out the Chesapeake WILD program, the Secretary shall—

(A) draw on existing plans for the Chesapeake Bay watershed, or portions of the Chesapeake Bay watershed, including the Chesapeake Bay agreements, and work in

consultation with applicable management entities, including Chesapeake Bay program partners, such as the Federal Government, State and local governments, the Chesapeake Bay Commission, and other regional organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Chesapeake Bay watershed;

(B) adopt a Chesapeake Bay watershed-wide strategy that—

(i) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with subparagraph (A); and

(ii) targets cost-effective projects with measurable results; and

(C) establish the grant program in accordance with subsection (c).

(4) **COORDINATION.**—In establishing the Chesapeake WILD program, the Secretary shall consult, as appropriate, with—

(A) the heads of Federal agencies, including—

(i) the Administrator of the Environmental Protection Agency;

(ii) the Administrator of the National Oceanic and Atmospheric Administration;

(iii) the Chief of the Natural Resources Conservation Service;

(iv) the Chief of Engineers;

(v) the Director of the United States Geological Survey;

(vi) the Secretary of Transportation;

(vii) the Chief of the Forest Service; and

(viii) the head of any other applicable agency;

(B) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia and the Mayor of the District of Columbia;

(C) fish and wildlife joint venture partnerships; and

(D) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Chesapeake Bay watershed.

(c) **GRANTS AND TECHNICAL ASSISTANCE.**—

(1) **CHESAPEAKE WILD GRANT PROGRAM.**—To the extent that funds are made available to carry out this subsection, the Secretary shall establish and carry out, as part of the Chesapeake WILD program, a voluntary grant and technical assistance program, to be known as the “Chesapeake Watershed Investments for Landscape Defense grant program”, to provide competitive matching grants of varying amounts and technical assistance to eligible entities described in paragraph (2) to carry out activities described in subsection (b)(2).

(2) **ELIGIBLE ENTITIES.**—The following entities are eligible to receive a grant and technical assistance under the grant program:

(A) A State.

(B) The District of Columbia.

(C) A unit of local government.

(D) A nonprofit organization.

(E) An institution of higher education.

(F) Any other entity that the Secretary determines to be appropriate in accordance with the criteria established under paragraph (3).

(3) **CRITERIA.**—The Secretary, in consultation with officials and entities described in subsection (b)(4), shall establish criteria for the grant program to help ensure that activities funded under this subsection—

(A) accomplish 1 or more of the purposes described in subsection (b)(2); and

(B) advance the implementation of priority actions or needs identified in the Chesapeake Bay watershed-wide strategy adopted under subsection (b)(3)(B).

(4) **COST SHARING.**—

(A) **DEPARTMENT OF THE INTERIOR SHARE.**—The Department of the Interior share of the cost of a project funded under the grant pro-

gram shall not exceed 50 percent of the total cost of the project, as determined by the Secretary.

(B) **NON-DEPARTMENT OF THE INTERIOR SHARE.**—

(i) **IN GENERAL.**—The non-Department of the Interior share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(ii) **OTHER FEDERAL FUNDING.**—Non-Department of the Interior Federal funds may be used for not more than 25 percent of the total cost of a project funded under the grant program.

(5) **ADMINISTRATION.**—The Secretary may enter into an agreement to manage the grant program with an organization that offers grant management services.

(d) **REPORTING.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report describing the implementation of this section, including a description of each project that has received funding under this section.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025.

(2) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available under paragraph (1) shall supplement, and not supplant, funding for other activities conducted by the Secretary in the Chesapeake Bay watershed.

TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS

SEC. 201. PURPOSE.

The purpose of this title is to encourage partnerships among public agencies and other interested persons to promote fish conservation—

(1) to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities by—

(A) improving ecological conditions;

(B) restoring natural processes; or

(C) preventing the decline of intact and healthy systems;

(2) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;

(3) to broaden the community of support for fish habitat conservation by—

(A) increasing fishing opportunities;

(B) fostering the participation of local communities, especially young people in local communities, in conservation activities; and

(C) raising public awareness of the role healthy fish habitat play in the quality of life and economic well-being of local communities;

(4) to fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment—

(A) to empower strategic conservation actions supported by broadly available scientific information; and

(B) to integrate socioeconomic data in the analysis to improve the lives of humans in a manner consistent with fish habitat conservation goals; and

(5) to communicate to the public and conservation partners—

(A) the conservation outcomes produced collectively by Fish Habitat Partnerships; and

(B) new opportunities and voluntary approaches for conserving fish habitat.

SEC. 202. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) BOARD.—The term “Board” means the National Fish Habitat Board established by section 203.

(3) DIRECTOR.—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) ENVIRONMENTAL PROTECTION AGENCY ASSISTANT ADMINISTRATOR.—The term “Environmental Protection Agency Assistant Administrator” means the Assistant Administrator for Water of the Environmental Protection Agency.

(5) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given to the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ASSISTANT ADMINISTRATOR.—The term “National Oceanic and Atmospheric Administration Assistant Administrator” means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(7) PARTNERSHIP.—The term “Partnership” means an entity designated by Congress as a Fish Habitat Partnership under section 204.

(8) REAL PROPERTY INTEREST.—The term “real property interest” means an ownership interest in—

(A) land; or

(B) water (including water rights).

(9) MARINE FISHERIES COMMISSIONS.—The term “Marine Fisheries Commissions” means—

(A) the Atlantic States Marine Fisheries Commission;

(B) the Gulf States Marine Fisheries Commission; and

(C) the Pacific States Marine Commission.

(10) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(11) STATE.—The term “State” means each of the several States, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, the United States Virgin Islands, and the District of Columbia.

(12) STATE AGENCY.—The term “State agency” means—

(A) the fish and wildlife agency of a State; and

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources of the State or sustains the habitat for those fishery resources pursuant to State law or the constitution of the State.

SEC. 203. NATIONAL FISH HABITAT BOARD.

(a) ESTABLISHMENT.—

(1) FISH HABITAT BOARD.—There is established a board, to be known as the “National Fish Habitat Board”, whose duties are—

(A) to promote, oversee, and coordinate the implementation of this title;

(B) to establish national goals and priorities for fish habitat conservation;

(C) to recommend to Congress entities for designation as Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 26 members, of whom—

(A) one shall be a representative of the Department of the Interior;

(B) one shall be a representative of the United States Geological Survey;

(C) one shall be a representative of the Department of Commerce;

(D) one shall be a representative of the Department of Agriculture;

(E) one shall be a representative of the Association of Fish and Wildlife Agencies;

(F) four shall be representatives of State agencies, one of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(G) two shall be representatives of either—

(i) Indian Tribes in the State of Alaska; or

(ii) Indian Tribes in States other than the State of Alaska;

(H) one shall be a representative of either—

(i) the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852); or

(ii) a representative of the Marine Fisheries Commissions;

(I) one shall be a representative of the Sportfishing and Boating Partnership Council;

(J) seven shall be representatives selected from at least one from each of the following:

(i) the recreational sportfishing industry;

(ii) the commercial fishing industry;

(iii) marine recreational anglers;

(iv) freshwater recreational anglers;

(v) habitat conservation organizations; and

(vi) science-based fishery organizations;

(K) one shall be a representative of a national private landowner organization;

(L) one shall be a representative of an agricultural production organization;

(M) one shall be a representative of local government interests involved in fish habitat restoration;

(N) two shall be representatives from different sectors of corporate industries, which may include—

(i) natural resource commodity interests, such as petroleum or mineral extraction;

(ii) natural resource user industries; and

(iii) industries with an interest in fish and fish habitat conservation; and

(O) one shall be a leadership private sector or landowner representative of an active partnership.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this section, a member of the Board described in any of subparagraphs (F) through (O) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—The initial Board shall consist of representatives as described in subparagraphs (A) through (F) of subsection (a)(2).

(B) REMAINING MEMBERS.—Not later than 60 days after the date of enactment of this Act, the representatives of the initial Board under subparagraph (A) shall appoint the remaining members of the Board described in subparagraphs (H) through (O) of subsection (a)(2).

(C) TRIBAL REPRESENTATIVES.—Not later than 60 days after the enactment of this Act, the Secretary shall provide to the Board a recommendation of not fewer than three Tribal representatives, from which the Board shall appoint one representative pursuant to subparagraph (G) of subsection (a)(2).

(3) STAGGERED TERMS.—Of the members described in subsection (a)(2)(J) initially appointed to the Board—

(A) two shall be appointed for a term of 1 year;

(B) two shall be appointed for a term of 2 years; and

(C) three shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in subparagraph (H), (I), (J), (K), (L), (M), (N), or (O) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (G) of subsection (a)(2), the Secretary shall recommend to the Board a list of not fewer than three Tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) REMOVAL.—If a member of the Board described in any of subparagraphs (H) through (O) of subparagraph (a)(2) misses three consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) CHAIRPERSON.—

(1) IN GENERAL.—The representative of the Association of Fish and Wildlife Agencies appointed under subsection (a)(2)(E) shall serve as Chairperson of the Board.

(2) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of two-thirds of all members;

(C) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this title;

(D) procedures for designating Partnerships under section 204; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

SEC. 204. FISH HABITAT PARTNERSHIPS.

(a) AUTHORITY TO RECOMMEND.—The Board may recommend to Congress the designation of Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to work with other regional habitat conservation programs to promote cooperation and coordination to enhance fish populations and fish habitats;

(2) to engage local and regional communities to build support for fish habitat conservation;

(3) to involve diverse groups of public and private partners;

(4) to develop collaboratively a strategic vision and achievable implementation plan that is scientifically sound;

(5) to leverage funding from sources that support local and regional partnerships;

(6) to use adaptive management principles, including evaluation of project success and functionality;

(7) to leverage appropriate local or regional habitat evaluation and assessment measures and criteria that are compatible with national habitat condition measures; and

(8) to implement local and regional priority projects that improve conditions for fish and fish habitat.

(c) **CRITERIA FOR DESIGNATION.**—An entity seeking to be designated by Congress as a Partnership shall—

(1) submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require; and

(2) demonstrate to the Board that the entity has—

(A) a focus on promoting the health of important fish and fish habitats;

(B) an ability to coordinate the implementation of priority projects that support the goals and national priorities set by the Board that are within the Partnership boundary;

(C) a self-governance structure that supports the implementation of strategic priorities for fish habitat;

(D) the ability to develop local and regional relationships with a broad range of entities to further strategic priorities for fish and fish habitat;

(E) a strategic plan that details required investments for fish habitat conservation that addresses the strategic fish habitat priorities of the Partnership and supports and meets the strategic priorities of the Board;

(F) the ability to develop and implement fish habitat conservation projects that address strategic priorities of the Partnership and the Board; and

(G) the ability to develop fish habitat conservation priorities based on sound science and data, the ability to measure the effectiveness of fish habitat projects of the Partnership, and a clear plan as to how Partnership science and data components will be integrated with the overall Board science and data effort.

(d) **REQUIREMENTS FOR RECOMMENDATION TO CONGRESS.**—The Board may recommend to Congress for designation an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) meets the criteria described in subsection (c)(2);

(2) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include State or local governments, nonprofit entities, Indian Tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(3) is organized to promote the health of important fish species and important fish habitats, including reservoirs, natural lakes, coastal and marine environments, coral reefs, and estuaries;

(4) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decision making;

(5) is able to address issues and priorities on a nationally significant scale;

(6) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decision making by the applicant;

(7) demonstrates completion of, or significant progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symp-

toms, in accordance with the goals and national priorities established by the Board; and

(8) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

(e) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act and each February 1 thereafter, the Board shall develop and submit to the appropriate congressional committees an annual report, to be entitled “Report to Congress on Future Fish Habitat Partnerships and Modifications”, that—

(A) identifies each entity that—

(i) meets the requirements described in subsection (d); and

(ii) the Board recommends to Congress for designation as a Partnership;

(B) describes any proposed modifications to a Partnership previously designated by Congress under subsection (f);

(C) with respect to each entity recommended for designation as a Partnership, describes, to the maximum extent practicable—

(i) the purpose of the recommended Partnership; and

(ii) how the recommended Partnership fulfills the requirements described in subsection (d).

(2) **PUBLIC AVAILABILITY; NOTIFICATION.**—The Board shall—

(A) make the report publicly available, including on the internet; and

(B) provide to the appropriate congressional committees and the State agency of any State included in a recommended Partnership area written notification of the public availability of the report.

(f) **DESIGNATION OR MODIFICATION OF PARTNERSHIP.**—Congress shall have the exclusive authority to designate or modify a Partnership.

(g) **EXISTING PARTNERSHIPS.**—

(1) **DESIGNATION REVIEW.**—Not later than 5 years after the date of enactment of this Act, any partnership receiving Federal funds as of the date of enactment of this Act shall be subject to a designation review by Congress in which Congress shall have the opportunity to designate the partnership under subsection (f).

(2) **INELIGIBILITY FOR FEDERAL FUNDS.**—A partnership referred to in paragraph (1) that Congress does not designate as described in that paragraph shall be ineligible to receive Federal funds under this title.

SEC. 205. FISH HABITAT CONSERVATION PROJECTS.

(a) **SUBMISSION TO BOARD.**—Not later than March 31 of each year, each Partnership shall submit to the Board a list of priority fish habitat conservation projects recommended by the Partnership for annual funding under this title.

(b) **RECOMMENDATIONS BY BOARD.**—Not later than July 1 of each year, the Board shall submit to the Secretary a priority list of fish habitat conservation projects that includes a description, including estimated costs, of each project that the Board recommends that the Secretary approve and fund under this title for the following fiscal year.

(c) **CRITERIA FOR PROJECT SELECTION.**—The Board shall select each fish habitat conservation project recommended to the Secretary under subsection (b) after taking into consideration, at a minimum, the following information:

(1) A recommendation of the Partnership that is, or will be, participating actively in implementing the fish habitat conservation project.

(2) The capabilities and experience of project proponents to implement successfully the proposed project.

(3) The extent to which the fish habitat conservation project—

(A) fulfills a local or regional priority that is directly linked to the strategic plan of the Partnership and is consistent with the purpose of this title;

(B) addresses the national priorities established by the Board;

(C) is supported by the findings of the habitat assessment of the Partnership or the Board, and aligns or is compatible with other conservation plans;

(D) identifies appropriate monitoring and evaluation measures and criteria that are compatible with national measures;

(E) provides a well-defined budget linked to deliverables and outcomes;

(F) leverages other funds to implement the project;

(G) addresses the causes and processes behind the decline of fish or fish habitats; and

(H) includes an outreach or education component that includes the local or regional community.

(4) The availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e).

(5) The extent to which the fish habitat conservation project—

(A) will increase fish populations in a manner that leads to recreational fishing opportunities for the public;

(B) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian Tribes, and private entities;

(C) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(D) advances the conservation of fish and wildlife species that have been identified by a State agency as species of greatest conservation need;

(E) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(F) promotes strong and healthy fish habitats so that desired biological communities are able to persist and adapt.

(6) The substantiality of the character and design of the fish habitat conservation project.

(d) **LIMITATIONS.**—

(1) **REQUIREMENTS FOR EVALUATION.**—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless the fish habitat conservation project includes an evaluation plan designed using applicable Board guidance—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(C) to identify improvements to existing fish populations, recreational fishing opportunities, and the overall economic benefits for the local community of the fish habitat conservation project; and

(D) to require the submission to the Board of a report describing the findings of the assessment.

(2) **ACQUISITION AUTHORITIES.**—

(A) **IN GENERAL.**—A State, local government, or other non-Federal entity is eligible to receive funds for the acquisition of real

property from willing sellers under this title if the acquisition ensures—

(i) public access for fish and wildlife-dependent recreation; or

(ii) a scientifically based, direct enhancement to the health of fish and fish populations, as determined by the Board.

(B) STATE AGENCY APPROVAL.—

(i) IN GENERAL.—All real property interest acquisition projects funded under this title must be approved by the State agency in the State in which the project is occurring.

(ii) PROHIBITION.—The Board may not recommend, and the Secretary may not provide any funding for, any real property interest acquisition that has not been approved by the State agency.

(C) ASSESSMENT OF OTHER AUTHORITIES.—The Board may not recommend, and the Secretary may not provide any funding under this title for, any real property interest acquisition unless the Partnership that recommended the project has conducted a project assessment, submitted with the funding request and approved by the Board, to demonstrate all other Federal, State, and local authorities for the acquisition of real property have been exhausted.

(D) RESTRICTIONS.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity conducted with funds provided under this title, unless—

(i) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property; and

(ii) the Secretary and the Board determine that the State, local government, or other non-Federal entity would benefit from undertaking the management of the real property being acquired because that is in accordance with the goals of a Partnership.

(e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (4), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) NON-FEDERAL SHARE.—Such non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from another Federal grant program; and

(B) may include in-kind contributions and cash.

(3) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian Tribe pursuant to this title may be considered to be non-Federal funds for the purpose of paragraph (1).

(4) WAIVER AUTHORITY.—The Secretary, in consultation with the Secretary of Commerce with respect to marine or estuarine projects, may waive the application of paragraph (2)(A) with respect to a State or an Indian Tribe, or otherwise reduce the portion of the non-Federal share of the cost of an activity required to be paid by a State or an Indian Tribe under paragraph (1), if the Secretary determines that the State or Indian Tribe does not have sufficient funds not derived from another Federal grant program to pay such non-Federal share, or portion of the non-Federal share, without the use of loans.

(f) APPROVAL.—

(1) IN GENERAL.—Not later than 90 days after the date of receipt of the recommended priority list of fish habitat conservation projects under subsection (b), and subject to subsection (d) and based, to the maximum extent practicable, on the criteria described in subsection (c), the Secretary, after con-

sulting with the Secretary of Commerce on marine or estuarine projects, shall approve or reject any fish habitat conservation project recommended by the Board.

(2) FUNDING.—If the Secretary approves a fish habitat conservation project under paragraph (1), the Secretary shall use amounts made available to carry out this title to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the Secretary rejects under paragraph (1) any fish habitat conservation project recommended by the Board, not later than 90 days after the date of receipt of the recommendation, the Secretary shall provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the reasons that the Secretary rejected the fish habitat conservation project.

SEC. 206. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) IN GENERAL.—The Director, the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, may provide scientific and technical assistance to Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided under subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian Tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment;

(6) ensuring the availability of experts to assist in conducting scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(7) providing resources to secure State agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

SEC. 207. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or Tribal agency, as applicable, of each State and Indian Tribe within the boundaries of which an activity is planned to be carried out pursuant to this title, including notification, by not later than 30 days before the date on which the activity is implemented.

SEC. 208. INTERAGENCY OPERATIONAL PLAN.

Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, the Director of the United States Geological Survey, and the heads of other appropriate Federal departments and agencies (including, at a minimum, those agencies represented on the Board) shall de-

velop an interagency operational plan that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs for the implementation of this title; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

SEC. 209. ACCOUNTABILITY AND REPORTING.

(a) REPORTING.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of this title.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet, or other suitable measures of fish habitat, that was maintained or improved by Partnerships under this title during the 5-year period ending on the date of submission of the report;

(B) a description of the public access to fish habitats established or improved under this title during that 5-year period;

(C) a description of the improved opportunities for public recreational fishing achieved under this title; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this title during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 205(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 205(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection of a fish habitat conservation project recommended by the Board under section 205(b) that was based on a factor other than the criteria described in section 205(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian Tribes, or other entities to carry out fish habitat conservation projects under this title.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2021, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report that includes—

(1) a status of all Partnerships designated under this title;

(2) a description of the status of fish habitats in the United States as identified by designated Partnerships; and

(3) enhancements or reductions in public access as a result of—

(A) the activities of the Partnerships; or

(B) any other activities carried out pursuant to this title.

SEC. 210. EFFECT OF THIS TITLE.

(a) WATER RIGHTS.—Nothing in this title—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.—Only a State, local

government, or other non-Federal entity may acquire, under State law, water rights or rights to property with funds made available through section 212.

(c) STATE AUTHORITY.—Nothing in this title—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(d) EFFECT ON INDIAN TRIBES.—Nothing in this title abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian Tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian Tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(e) ADJUDICATION OF WATER RIGHTS.—Nothing in this title diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Departments of State, Justice, Commerce, and The Judiciary Appropriation Act, 1953 (43 U.S.C. 666).

(f) DEPARTMENT OF COMMERCE AUTHORITY.—Nothing in this title affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(g) EFFECT ON OTHER AUTHORITIES.—

(1) PRIVATE PROPERTY PROTECTION.—Nothing in this title permits the use of funds made available to carry out this title to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest, respectively.

(2) MITIGATION.—Nothing in this title authorizes the use of funds made available to carry out this title for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

(3) CLEAN WATER ACT.—Nothing in this title affects any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

SEC. 211. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

SEC. 212. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary \$7,200,000 for each of fiscal years 2021 through 2025 to provide funds for fish habitat conservation projects approved under section 205(f), of which 5 percent is authorized only for projects carried out by Indian Tribes.

(2) ADMINISTRATIVE AND PLANNING EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2021 through 2025 an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1)—

(A) for administrative and planning expenses under this title; and

(B) to carry out section 209.

(3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There is authorized to be appropriated for each of fiscal years 2021 through 2025 to carry out, and provide technical and scientific assistance under, section 206—

(A) \$400,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) \$400,000 to the National Oceanic and Atmospheric Administration Assistant Administrator for use by the National Oceanic and Atmospheric Administration;

(C) \$400,000 to the Environmental Protection Agency Assistant Administrator for use by the Environmental Protection Agency;

(D) \$400,000 to the Secretary for use by the United States Geological Survey; and

(E) \$400,000 to the Secretary of Agriculture, acting through the Chief of the Forest Service, for use by the Forest Service.

(b) AGREEMENTS AND GRANTS.—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106-107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity to provide funds authorized by this title for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and, subject to the availability of appropriations, use a grant from any individual or entity to carry out the purposes of this title; and

(3) subject to the availability of appropriations, make funds authorized by this Act available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this title.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this title; and

(B) accept donations of funds, property, and services to carry out the purposes of this title.

(2) TREATMENT.—A donation accepted under this title—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

SEC. 213. PROHIBITION AGAINST IMPLEMENTATION OF REGULATORY AUTHORITY BY FEDERAL AGENCIES THROUGH PARTNERSHIPS.

Any Partnership designated under this title—

(1) shall be for the sole purpose of promoting fish conservation; and

(2) shall not be used to implement any regulatory authority of any Federal agency.

TITLE III—MISCELLANEOUS

SEC. 301. SENSE OF THE SENATE REGARDING CONSERVATION AGREEMENTS AND ACTIVITIES.

It is the sense of the Senate that—

(1) voluntary conservation agreements benefit species and the habitats on which the species rely;

(2) States, Indian Tribes, units of local government, landowners, and other stakeholders should be encouraged to participate in voluntary conservation agreements; and

(3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, should consider the enrollment in, and performance of, conservation agreements and investment in, and implementation of, general conservation activities by States, Indian Tribes, units of local government, landowners, and other stakeholders in making determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 302. STUDY TO REVIEW CONSERVATION FACTORS.

(a) DEFINITION OF SECRETARIES.—In this section, the term “Secretaries” means—

(1) the Secretary of Agriculture;

(2) the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service; and

(3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) STUDY.—To assess factors affecting successful conservation activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretaries shall carry out a study—

(1) to review any factors that threaten or endanger a species for which a listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) would not contribute to the conservation of the species;

(2) to review any barriers to—

(A) the delivery of Federal, State, local, or private funds for such conservation activities, including statutory or regulatory impediments, staffing needs, and other relevant considerations; or

(B) the implementation of conservation agreements, plans, or other cooperative agreements, including agreements focused on voluntary activities, multispecies efforts, and other relevant considerations;

(3) to review factors that impact the ability of the Federal Government to successfully implement the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) to develop recommendations regarding methods to address barriers identified under paragraph (2), if any;

(5) to review determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species is determined to be recovered by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, or the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, but remains listed under that Act, including—

(A) an explanation of the factors preventing a delisting or downlisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A); and

(6) to review any determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species has been identified as needing listing or uplisting under that Act but remains unlisted or listed as a threatened species, respectively, including—

(A) an explanation of the factors preventing a listing or uplisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives and make publicly

available a report describing the results of the study under subsection (b).

SEC. 303. STUDY AND REPORT ON EXPENDITURES.

(a) REPORTS ON EXPENDITURES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—

(A) IN GENERAL.—At the determination of the Comptroller General of the United States (referred to in this section as the “Comptroller General”), to facilitate the preparation of the reports from the Comptroller General under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the amounts expended or disbursed (including through loans, loan guarantees, grants, or any other financing mechanism) by the department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(B) REQUIREMENTS.—Data and other relevant information submitted under subparagraph (A) shall describe, with respect to the applicable amounts—

(i) the programmatic office of the department or agency on behalf of which each amount was expended or disbursed;

(ii) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each amount was expended or disbursed; and

(iii) the project or activity carried out using each amount, in detail sufficient to reflect the breadth, scope, and purpose of the project or activity.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations, Commerce, Science, and Transportation, and Environment and Public Works of the Senate and the Committee on Appropriations and Natural Resources of the House of Representatives a report that describes—

(A) the aggregate amount expended or disbursed by all Federal departments and agencies as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each such amount was expended or disbursed; and

(C) with respect to each relevant department or agency—

(i) the total amount expended or disbursed by the department or agency as described in subparagraph (A); and

(ii) the information described in clauses (i) through (iii) of paragraph (1)(B).

(b) REPORT ON CONSERVATION ACTIVITIES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—

At the determination of the Comptroller General, to facilitate the preparation of the report under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the conservation activities by the Federal depart-

ment or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(A) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(B) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) describes the conservation activities by all Federal departments and agencies for species listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as reported under paragraph (1), during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) is organized into categories with respect to whether a recovery plan for a species has been established;

(C) includes conservation outcomes associated with the conservation activities; and

(D) as applicable, describes the conservation activities that required interaction between Federal agencies and between Federal agencies and State and Tribal agencies and units of local government pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 304. USE OF VALUE OF LAND FOR COST SHARING.

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) is amended—

(1) by redesignating section 13 as section 14; and

(2) by inserting after section 12 the following:

“SEC. 13. VALUE OF LAND.

“Notwithstanding any other provision of law, any institution eligible to receive Federal funds under the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.) shall be allowed to use the value of any land owned by the institution as an in-kind match to satisfy any cost sharing requirement under this Act.”.

SA 1277. Mr. MCCONNELL (for Mr. BARRASSO) proposed an amendment to the bill H.R. 925, to improve protections for wildlife, and for other purposes; as follows:

Amend the title so as to read: “An Act to improve protections for wildlife, and for other purposes.”.

SA 1278. Mr. MCCONNELL (for Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, and Mr. MENENDEZ)) proposed an amendment to the bill S. 1982, to improve efforts to combat marine debris, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Save Our Seas 2.0 Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—COMBATING MARINE DEBRIS

Subtitle A—Marine Debris Foundation

Sec. 111. Establishment and purposes of Foundation.

Sec. 112. Board of Directors of the Foundation.

Sec. 113. Rights and obligations of the Foundation.

Sec. 114. Administrative services and support.

Sec. 115. Volunteer status.

Sec. 116. Report requirements; petition of attorney general for equitable relief.

Sec. 117. United States release from liability.

Sec. 118. Authorization of appropriations.

Sec. 119. Termination of authority.

Subtitle B—Genius Prize for Save Our Seas Innovations

Sec. 121. Definitions.

Sec. 122. Genius prize for Save Our Seas Innovations.

Sec. 123. Agreement with the marine debris foundation.

Sec. 124. Judges.

Sec. 125. Report to Congress.

Sec. 126. Authorization of appropriations.

Sec. 127. Termination of authority.

Subtitle C—Other Measures Relating to Combating Marine Debris

Sec. 131. Prioritization of marine debris in existing innovation and entrepreneurship programs.

Sec. 132. Expansion of derelict vessel recycling.

Sec. 133. Incentive for fishermen to collect and dispose of plastic found at sea.

Sec. 134. Amendments to Marine Debris Program.

Sec. 135. Marine debris on National Forest System land.

Subtitle D—Studies and Reports

Sec. 141. Report on opportunities for innovative uses of plastic waste.

Sec. 142. Report on microfiber pollution.

Sec. 143. Study on United States plastic pollution data.

Sec. 144. Study on mass balance methodologies to certify circular polymers.

Sec. 145. Report on sources and impacts of derelict fishing gear.

TITLE II—ENHANCED GLOBAL ENGAGEMENT TO COMBAT MARINE DEBRIS

Sec. 201. Statement of policy on international cooperation to combat marine debris.

Sec. 202. Prioritization of efforts and assistance to combat marine debris and improve plastic waste management.

Sec. 203. United States leadership in international fora.

Sec. 204. Enhancing international outreach and partnership of United States agencies involved in marine debris activities.

Sec. 205. Negotiation of new international agreements.

Sec. 206. Consideration of marine debris in negotiating international agreements.

TITLE III—IMPROVING DOMESTIC INFRASTRUCTURE TO PREVENT MARINE DEBRIS

Sec. 301. Strategy for improving post-consumer materials management and water management.

Sec. 302. Sense of the Senate for issues to be included in strategy for post-consumer materials management and water management.

Sec. 303. Grant programs.

- Sec. 304. Study on repurposing plastic waste in infrastructure.
- Sec. 305. Study on effects of microplastics in food supplies and sources of drinking water.
- Sec. 306. Report on eliminating barriers to increase the collection of recyclable materials.
- Sec. 307. Report on economic incentives to spur development of new end-use markets for recycled plastics.
- Sec. 308. Report on minimizing the creation of new plastic waste.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CIRCULAR ECONOMY.**—The term “circular economy” means an economy that uses a systems-focused approach and involves industrial processes and economic activities that—

(A) are restorative or regenerative by design;

(B) enable resources used in such processes and activities to maintain their highest values for as long as possible; and

(C) aim for the elimination of waste through the superior design of materials, products, and systems (including business models).

(2) **EPA ADMINISTRATOR.**—The term “EPA Administrator” means the Administrator of the Environmental Protection Agency.

(3) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), without regard to capitalization.

(4) **INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.**—The term “Interagency Marine Debris Coordinating Committee” means the Interagency Marine Debris Coordinating Committee established under section 5 of the Marine Debris Act (33 U.S.C. 1954).

(5) **MARINE DEBRIS.**—The term “marine debris” has the meaning given that term in section 7 of the Marine Debris Act (33 U.S.C. 1956).

(6) **MARINE DEBRIS EVENT.**—The term “marine debris event” means an event or related events that affects or may imminently affect the United States involving—

(A) marine debris caused by a natural event, including a tsunami, flood, landslide, hurricane, or other natural source;

(B) distinct, nonrecurring marine debris, including derelict vessel groundings and container spills, that have immediate or long-term impacts on habitats with high ecological, economic, or human-use values; or

(C) marine debris caused by an intentional or grossly negligent act or acts that causes substantial economic or environmental harm.

(7) **NON-FEDERAL FUNDS.**—The term “non-Federal funds” means funds provided by—

(A) a State;

(B) an Indian Tribe;

(C) a territory of the United States;

(D) one or more units of local governments or Tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(E) a foreign government;

(F) a private for-profit entity;

(G) a nonprofit organization; or

(H) a private individual.

(8) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(9) **POST-CONSUMER MATERIALS MANAGEMENT.**—The term “post-consumer materials management” means the systems, operation,

supervision, and long-term management of processes and equipment used for post-use material (including packaging, goods, products, and other materials), including—

(A) collection;

(B) transport;

(C) safe disposal of waste that cannot be recovered, reused, recycled, repaired, or refurbished; and

(D) systems and processes related to post-use materials that can be recovered, reused, recycled, repaired, or refurbished.

(10) **STATE.**—The term “State” means—

(A) a State;

(B) an Indian Tribe;

(C) the District of Columbia;

(D) a territory or possession of the United States; or

(E) any political subdivision of an entity described in subparagraphs (A) through (D).

(11) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

TITLE I—COMBATING MARINE DEBRIS

Subtitle A—Marine Debris Foundation

SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDATION.

(a) **ESTABLISHMENT.**—There is established the Marine Debris Foundation (in this title referred to as the “Foundation”). The Foundation is a charitable and nonprofit organization and is not an agency or establishment of the United States.

(b) **PURPOSES.**—The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the National Oceanic and Atmospheric Administration under the Marine Debris Program established under section 3 of the Marine Debris Act (33 U.S.C. 1952), and other relevant programs and agencies;

(2) to undertake and conduct such other activities as will further the efforts of the National Oceanic and Atmospheric Administration to assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris on the economy of the United States, the marine environment, and navigation safety;

(3) to participate with, and otherwise assist, State, local, and Tribal governments, foreign governments, entities, and individuals in undertaking and conducting activities to assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris and its root causes on the economy of the United States, the marine environment (including waters in the jurisdiction of the United States, the high seas, and waters in the jurisdiction of other countries), and navigation safety;

(4) to administer the Genius Prize for Save Our Seas Innovation as described in title II; and

(5) to support other Federal actions to reduce marine debris.

SEC. 112. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) **ESTABLISHMENT AND MEMBERSHIP.**—

(1) **IN GENERAL.**—The Foundation shall have a governing Board of Directors (in this title referred to as the “Board”), which shall consist of the Under Secretary and 12 additional Directors appointed in accordance with subsection (b) from among individuals who are United States citizens.

(2) **REPRESENTATION OF DIVERSE POINTS OF VIEW.**—To the maximum extent practicable, the membership of the Board shall represent diverse points of view relating to the assessment, prevention, reduction, and removal of marine debris.

(3) **NOT FEDERAL EMPLOYEES.**—Appointment as a Director of the Foundation shall not

constitute employment by, or the holding of an office of, the United States for the purpose of any Federal law.

(b) **APPOINTMENT AND TERMS.**—

(1) **APPOINTMENT.**—Subject to paragraph (2), after consulting with the EPA Administrator, the Director of the United States Fish and Wildlife Service, the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, and the Administrator of the United States Agency for International Development, and considering the recommendations submitted by the Board, the Under Secretary shall appoint 12 Directors who meet the criteria established by subsection (a), of whom—

(A) at least 4 shall be educated or experienced in the assessment, prevention, reduction, or removal of marine debris, which may include an individual with expertise in post-consumer materials management or a circular economy;

(B) at least 2 shall be educated or experienced in the assessment, prevention, reduction, or removal of marine debris outside the United States;

(C) at least 2 shall be educated or experienced in ocean and coastal resource conservation science or policy; and

(D) at least 2 shall be educated or experienced in international trade or foreign policy.

(2) **TERMS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), each Director (other than the Under Secretary) shall be appointed for a term of 6 years.

(B) **INITIAL APPOINTMENTS TO NEW MEMBER POSITIONS.**—Of the Directors appointed by the Under Secretary under paragraph (1), the Secretary shall appoint, not later than 180 days after the date of the enactment of this Act—

(i) 4 Directors for a term of 6 years;

(ii) 4 Directors for a term of 4 years; and

(iii) 4 Directors for a term of 2 years.

(3) **VACANCIES.**—

(A) **IN GENERAL.**—The Under Secretary shall fill a vacancy on the Board.

(B) **TERM OF APPOINTMENTS TO FILL UNEXPIRED TERMS.**—An individual appointed to fill a vacancy that occurs before the expiration of the term of a Director shall be appointed for the remainder of the term.

(4) **REAPPOINTMENT.**—An individual (other than an individual described in paragraph (1)) shall not serve more than 2 consecutive terms as a Director, excluding any term of less than 6 years.

(5) **REQUEST FOR REMOVAL.**—The executive committee of the Board may submit to the Under Secretary a letter describing the non-performance of a Director and requesting the removal of the Director from the Board.

(6) **CONSULTATION BEFORE REMOVAL.**—Before removing any Director from the Board, the Under Secretary shall consult with the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, the Director of the United States Fish and Wildlife Service, and the EPA Administrator.

(c) **CHAIRMAN.**—The Chairman shall be elected by the Board from its members for a 2-year term.

(d) **QUORUM.**—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(e) **MEETINGS.**—The Board shall meet at the call of the Chairman at least once a year. If a Director misses 3 consecutive regularly scheduled meetings, that individual may be removed from the Board and that vacancy filled in accordance with subsection (b).

(f) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation.

(g) GENERAL POWERS.—

(1) IN GENERAL.—The Board may complete the organization of the Foundation by—

(A) appointing officers and employees;

(B) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provisions of this title; and

(C) undertaking of other such acts as may be necessary to carry out the provisions of this title.

(2) LIMITATIONS ON APPOINTMENT.—The following limitations apply with respect to the appointment of officers and employees of the Foundation:

(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers and employees of the Foundation shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(B) The first officer or employee appointed by the Board shall be the Secretary of the Board who—

(i) shall serve, at the direction of the Board, as its chief operating officer; and

(ii) shall be knowledgeable and experienced in matters relating to the assessment, prevention, reduction, and removal of marine debris.

SEC. 113. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.

(a) IN GENERAL.—The Foundation—

(1) shall have perpetual succession;

(2) may conduct business throughout the several States, territories, and possessions of the United States and abroad; and

(3) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

(b) SERVICE OF PROCESS.—The serving of notice to, or service of process upon, the agent required under subsection (a)(3), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(c) POWERS.—

(1) IN GENERAL.—To carry out its purposes under section 111, the Foundation shall have, in addition to the powers otherwise given it under this title, the usual powers of a corporation acting as a trustee in the District of Columbia, including the power—

(A) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(B) to acquire by purchase or exchange any real or personal property or interest therein;

(C) to invest any funds provided to the Foundation by the Federal Government in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States;

(D) to deposit any funds provided to the Foundation by the Federal Government into accounts that are insured by an agency or instrumentality of the United States;

(E) to make use of any interest or investment income that accrues as a consequence of actions taken under subparagraph (C) or (D) to carry out the purposes of the Foundation;

(F) to use Federal funds to make payments under cooperative agreements to provide substantial long-term benefits for the assess-

ment, prevention, reduction, and removal of marine debris;

(G) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain or otherwise dispose of any property or income therefrom;

(H) to borrow money and issue bonds, debentures, or other debt instruments;

(I) to sue and be sued, and complain and defend itself in any court of competent jurisdiction, except that the Directors of the Foundation shall not be personally liable, except for gross negligence;

(J) to enter into contracts or other arrangements with, or provide financial assistance to, public agencies and private organizations and persons and to make such payments as may be necessary to carry out its functions; and

(K) to do any and all acts necessary and proper to carry out the purposes of the Foundation.

(2) NON-FEDERAL CONTRIBUTIONS TO THE FUND.—A gift, devise, or bequest may be accepted by the Foundation without regard to whether the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

(d) NOTICE TO MEMBERS OF CONGRESS.—The Foundation may not make a grant of Federal funds in an amount greater than \$100,000 unless, by not later than 15 days before the grant is made, the Foundation provides notice of the grant to the Member of Congress for the congressional district in which the project to be funded with the grant will be carried out.

(e) COORDINATION OF INTERNATIONAL EFFORTS.—Any efforts of the Foundation carried out in a foreign country, and any grants provided to an individual or entity in a foreign country, shall be made only with the concurrence of the Secretary of State, in consultation, as appropriate, with the Administrator of the United States Agency for International Development.

(f) CONSULTATION WITH NOAA.—The Foundation shall consult with the Under Secretary during the planning of any restoration or remediation action using funds resulting from judgments or settlements relating to the damage to trust resources of the National Oceanic and Atmospheric Administration.

SEC. 114. ADMINISTRATIVE SERVICES AND SUPPORT.

(a) PROVISION OF SERVICES.—The Under Secretary may provide personnel, facilities, and other administrative services to the Foundation, including reimbursement of expenses, not to exceed the current Federal Government per diem rates, for a period of up to 5 years beginning on the date of the enactment of this Act.

(b) REIMBURSEMENT.—The Under Secretary shall require reimbursement from the Foundation for any administrative service provided under subsection (a). The Under Secretary shall deposit any reimbursement received under this subsection into the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.

SEC. 115. VOLUNTEER STATUS.

The Secretary of Commerce may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Foundation, the Board, and the officers and employees of the Board, without compensation from the Department of Commerce, as volunteers in the performance of the functions authorized in this title.

SEC. 116. REPORT REQUIREMENTS; PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal

year, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Energy and Commerce of the House of Representatives a report—

(1) describing the proceedings and activities of the Foundation during that fiscal year, including a full and complete statement of its receipts, expenditures, and investments; and

(2) including a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.

(b) RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.—If the Foundation—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with its purposes set forth in section 111(b), or

(2) refuses, fails, or neglects to discharge its obligations under this title, or threatens to do so,

the Attorney General may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

SEC. 117. UNITED STATES RELEASE FROM LIABILITY.

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligation of the Foundation.

SEC. 118. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—The Secretary of Commerce shall carry out this title using existing amounts that are appropriated or otherwise made available to the Department of Commerce.

(2) USE OF APPROPRIATED FUNDS.—Subject to paragraph (3), amounts made available under paragraph (1) shall be provided to the Foundation to match contributions (whether in currency, services, or property) made to the Foundation, or to a recipient of a grant provided by the Foundation, by private persons and State and local government agencies.

(3) PROHIBITION ON USE FOR ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no Federal funds made available under paragraph (1) may be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

(B) EXCEPTION.—The Secretary may allow the use of Federal funds made available under paragraph (1) to pay for salaries during the 18-month period beginning on the date of the enactment of this Act.

(b) ADDITIONAL AUTHORIZATION.—

(1) IN GENERAL.—In addition to the amounts made available under subsection (a), the Foundation may accept Federal funds from a Federal agency under any other Federal law for use by the Foundation to further the assessment, prevention, reduction, and removal of marine debris in accordance with the requirements of this title.

(2) USE OF FUNDS ACCEPTED FROM FEDERAL AGENCIES.—Federal funds provided to the Foundation under paragraph (1) shall be used by the Foundation for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

(C) PROHIBITION ON USE OF GRANT AMOUNTS FOR LITIGATION AND LOBBYING EXPENSES.—Amounts provided as a grant by the Foundation shall not be used for—

- (1) any expense related to litigation consistent with Federal-wide cost principles; or
- (2) any activity the purpose of which is to influence legislation pending before Congress consistent with Federal-wide cost principles.

SEC. 119. TERMINATION OF AUTHORITY.

The authority of the Foundation under this subtitle shall terminate on the date that is 10 years after the establishment of the Foundation, unless the Foundation is reauthorized by an Act of Congress.

Subtitle B—Genius Prize for Save Our Seas Innovations

SEC. 121. DEFINITIONS.

In this subtitle:

- (1) PRIZE COMPETITION.—The term “prize competition” means the competition for the award of the Genius Prize for Save Our Seas Innovations established under section 122.
- (2) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVATIONS.

(A) IN GENERAL.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition—

(A) to encourage technological innovation with the potential to reduce plastic waste, and associated and potential pollution, and thereby prevent marine debris; and

(B) to award 1 or more prizes biennially for projects that advance human understanding and innovation in removing and preventing plastic waste, in one of the categories described in paragraph (2).

(2) CATEGORIES FOR PROJECTS.—The categories for projects are:

(A) Advancements in materials used in packaging and other products that, if such products enter the coastal or ocean environment, will fully degrade without harming the environment, wildlife, or human health.

(B) Innovations in production and packaging design that reduce the use of raw materials, increase recycled content, encourage reusability and recyclability, and promote a circular economy.

(C) Improvements in marine debris detection, monitoring, and cleanup technologies and processes.

(D) Improvements or improved strategies to increase solid waste collection, processing, sorting, recycling, or reuse.

(E) New designs or strategies to reduce overall packaging needs and promote reuse.

(b) DESIGNATION.—The prize competition established under subsection (a) shall be known as the “Genius Prize for Save Our Seas Innovations”.

(c) PRIORITIZATION.—In selecting awards for the prize competition, priority shall be given to projects that—

(1) have a strategy, submitted with the application or proposal, to move the new technology, process, design, material, or other product supported by the prize to market-scale deployment;

(2) support the concept of a circular economy; and

(3) promote development of materials that—

(A) can fully degrade in the ocean without harming the environment, wildlife, or human health; and

(B) are to be used in fishing gear or other maritime products that have an increased likelihood of entering the coastal or ocean environment as unintentional waste.

SEC. 123. AGREEMENT WITH THE MARINE DEBRIS FOUNDATION.

(a) IN GENERAL.—The Secretary shall offer to enter into an agreement, which may include a grant or cooperative agreement, under which the Marine Debris Foundation established under title I shall administer the prize competition.

(b) REQUIREMENTS.—An agreement entered into under subsection (a) shall comply with the following requirements:

(1) DUTIES.—The Marine Debris Foundation shall—

(A) advertise the prize competition;

(B) solicit prize competition participants;

(C) administer funds relating to the prize competition;

(D) receive Federal and non-Federal funds—

(i) to administer the prize competition; and

(ii) to award a cash prize;

(E) carry out activities to generate contributions of non-Federal funds to offset, in whole or in part—

(i) the administrative costs of the prize competition; and

(ii) the costs of a cash prize;

(F) in the design and award of the prize, consult, as appropriate with experts from—

(i) Federal agencies with jurisdiction over the prevention of marine debris or the promotion of innovative materials;

(ii) State agencies with jurisdiction over the prevention of marine debris or the promotion of innovative materials;

(iii) State, regional, or local conservation or post-consumer materials management organizations, the mission of which relates to the prevention of marine debris or the promotion of innovative materials;

(iv) conservation groups, technology companies, research institutions, scientists (including those with expertise in marine environments) institutions of higher education, industry, or individual stakeholders with an interest in the prevention of marine debris or the promotion of innovative materials;

(v) experts in the area of standards development regarding the degradation, breakdown, or recycling of polymers; and

(vi) other relevant experts of the Board's choosing;

(G) in consultation with, and subject to final approval by, the Secretary, develop criteria for the selection of prize competition winners;

(H) provide advice and consultation to the Secretary on the selection of judges under section 124 based on criteria developed in consultation with, and subject to the final approval of, the Secretary;

(I) announce 1 or more annual winners of the prize competition;

(J) subject to paragraph (2), award 1 or more cash prizes biennially of not less than \$100,000; and

(K) protect against unauthorized use or disclosure by the Marine Debris Foundation of any trade secret or confidential business information of a prize competition participant.

(2) ADDITIONAL CASH PRIZES.—The Marine Debris Foundation may award more than 1 cash prize in a year—

(A) if the initial cash prize referred to in paragraph (1)(I) and any additional cash prizes are awarded using only non-Federal funds; and

(B) consisting of an amount determined by the Under Secretary after the Secretary is notified by the Marine Debris Foundation that non-Federal funds are available for an additional cash prize.

(3) SOLICITATION OF FUNDS.—The Marine Debris Foundation—

(A) may request and accept Federal funds and non-Federal funds for a cash prize or administration of the prize competition;

(B) may accept a contribution for a cash prize in exchange for the right to name the prize; and

(C) shall not give special consideration to any Federal agency or non-Federal entity in exchange for a donation for a cash prize awarded under this section.

(B) may accept a contribution for a cash prize in exchange for the right to name the prize; and

(C) shall not give special consideration to any Federal agency or non-Federal entity in exchange for a donation for a cash prize awarded under this section.

SEC. 124. JUDGES.

(a) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in subsection (b), select the 1 or more annual winners of the prize competition.

(b) DETERMINATION BY THE SECRETARY.—The judges appointed under subsection (a) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

SEC. 125. REPORT TO CONGRESS.

Not later than 60 days after the date on which a cash prize is awarded under this title, the Secretary shall post on a publicly available website a report on the prize competition that includes—

(1) a statement by the Committee that describes the activities carried out by the Committee relating to the duties described in section 123;

(2) if the Secretary has entered into an agreement under section 123, a statement by the Marine Debris Foundation that describes the activities carried out by the Marine Debris Foundation relating to the duties described in section 123; and

(3) a statement by 1 or more of the judges appointed under section 124 that explains the basis on which the winner of the cash prize was selected.

SEC. 126. AUTHORIZATION OF APPROPRIATIONS.

The Secretary of Commerce shall carry out this title using existing amounts that are appropriated or otherwise made available to the Department of Commerce.

SEC. 127. TERMINATION OF AUTHORITY.

The prize program will terminate after 5 prize competition cycles have been completed.

Subtitle C—Other Measures Relating to Combating Marine Debris

SEC. 131. PRIORITIZATION OF MARINE DEBRIS IN EXISTING INNOVATION AND ENTREPRENEURSHIP PROGRAMS.

The Secretary of Commerce, the Secretary of Energy, the EPA Administrator, and the heads of other relevant Federal agencies, shall prioritize efforts to combat marine debris in innovation and entrepreneurship programs established before the date of the enactment of this Act, including by using such programs to increase innovation in and the effectiveness of post-consumer materials management, monitoring, detection, and data-sharing related to the prevalence and location of marine debris, demand for recycled content, alternative uses for plastic waste, product design, reduction of disposable plastic consumer products and packaging, ocean biodegradable materials development, waste prevention, and cleanup.

SEC. 132. EXPANSION OF DERELICT VESSEL RECYCLING.

Not later than 1 year after the date of the enactment of this Act, the Under Secretary and the EPA Administrator shall jointly conduct a study to determine the feasibility of developing a nationwide derelict vessel recycling program—

(1) using as a model the fiberglass boat recycling program from the pilot project in Rhode Island led by Rhode Island Sea Grant and its partners; and

(2) including, if possible, recycling of vessels made from materials other than fiberglass.

SEC. 133. INCENTIVE FOR FISHERMEN TO COLLECT AND DISPOSE OF PLASTIC FOUND AT SEA.

(a) **IN GENERAL.**—The Under Secretary shall establish a pilot program to assess the feasibility and advisability of providing incentives, such as grants, to fishermen based in the United States who incidentally capture marine debris while at sea—

(1) to track or keep the debris on board; and

(2) to dispose of the debris properly on land.

(b) **SUPPORT FOR COLLECTION AND REMOVAL OF DERELICT GEAR.**—The Under Secretary shall encourage United States efforts, such as the Fishing for Energy net disposal program, that support—

(1) collection and removal of derelict fishing gear and other fishing waste;

(2) disposal or recycling of such gear and waste; and

(3) prevention of the loss of such gear.

SEC. 134. AMENDMENTS TO MARINE DEBRIS PROGRAM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 9(a) of the Marine Debris Act (33 U.S.C. 1958(a)) is amended by—

(1) striking “\$10,000,000” and inserting “\$15,000,000”; and

(2) striking “5 percent” and inserting “7 percent”.

(b) **ENHANCEMENT OF PURPOSE.**—Section 2 of the Marine Debris Act (33 U.S.C. 1951) is amended by striking “marine environment,” and inserting “marine environment (including waters in the jurisdiction of the United States, the high seas, and waters in the jurisdiction of other countries).”.

(c) **TECHNICAL CORRECTIONS.**—Section 3(d)(2) of the Marine Debris Act (33 U.S.C. 1952(d)(2)) is amended—

(1) in subparagraph (B), by striking “the matching requirement under subparagraph (A)” and inserting “a matching requirement under subparagraph (A) or (C)”; and

(2) in subparagraph (C), in the matter preceding clause (i), by striking “Notwithstanding subparagraph (A)” and inserting “Notwithstanding subparagraph (A) and except as provided in subparagraph (B)”.

SEC. 135. MARINE DEBRIS ON NATIONAL FOREST SYSTEM LAND.

(a) **SPECIAL-USE AUTHORIZATION.**—The Secretary of Agriculture (referred to in this section as the “Secretary”) shall not require a volunteer organization to obtain a special-use authorization for the removal of any marine debris being stored on National Forest System land.

(b) **TEMPORARY STORAGE.**—Marine debris may be stored on National Forest System land in a location determined by the Secretary for a period of not more than 90 days, which may be extended in 90-day increments with approval by the relevant U.S. Forest Service District Ranger.

(c) **REQUIREMENTS.**—Except as otherwise provided in this section, any activities related to the removal of marine debris from National Forest System land shall be conducted in a manner consistent with applicable law and regulations and subject to such reasonable terms and conditions as the Secretary may require.

Subtitle D—Studies and Reports

SEC. 141. REPORT ON OPPORTUNITIES FOR INNOVATIVE USES OF PLASTIC WASTE.

Not later than 2 years after the date of enactment of this Act, the Interagency Marine Debris Coordinating Committee shall submit to Congress a report on innovative uses for plastic waste in consumer products.

SEC. 142. REPORT ON MICROFIBER POLLUTION.

Not later than 2 years after the date of the enactment of this Act, the Interagency Ma-

rine Debris Coordinating Committee shall submit to Congress a report on microfiber pollution that includes—

(1) a definition for “microfiber”;

(2) an assessment of the sources, prevalence, and causes of microfiber pollution;

(3) a recommendation for a standardized methodology to measure and estimate the prevalence of microfiber pollution;

(4) recommendations for reducing microfiber pollution; and

(5) a plan for how Federal agencies, in partnership with other stakeholders, can lead on opportunities to reduce microfiber pollution during the 5-year period beginning on such date of enactment.

SEC. 143. STUDY ON UNITED STATES PLASTIC POLLUTION DATA.

(a) **IN GENERAL.**—The Under Secretary, in consultation with the EPA Administrator and the Secretary of the Interior, shall seek to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies will undertake a multifaceted study that includes the following:

(1) An evaluation of United States contributions to global ocean plastic waste, including types, sources, and geographic variations.

(2) An assessment of the prevalence of marine debris and mismanaged plastic waste in saltwater and freshwater United States navigable waterways and tributaries.

(3) An examination of the import and export of plastic waste to and from the United States, including the destinations of the exported plastic waste and the waste management infrastructure and environmental conditions of these locations.

(4) Potential means to reduce United States contributions to global ocean plastic waste.

(b) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Under Secretary shall submit to Congress a report on the study conducted under subsection (a) that includes—

(1) the findings of the National Academies;

(2) recommendations on knowledge gaps that warrant further scientific inquiry; and

(3) recommendations on the potential value of a national marine debris tracking and monitoring system and how such a system might be designed and implemented.

SEC. 144. STUDY ON MASS BALANCE METHODOLOGIES TO CERTIFY CIRCULAR POLYMERS.

(a) **IN GENERAL.**—The National Institute of Standards and Technology shall conduct a study of available mass balance methodologies that are or could be readily standardized to certify circular polymers.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Institute shall submit to Congress a report on the study conducted under subsection (a) that includes—

(1) an identification and assessment of existing mass balance methodologies, standards, and certification systems that are or may be applicable to supply chain sustainability of polymers, considering the full life cycle of the polymer, and including an examination of—

(A) the International Sustainability and Carbon Certification; and

(B) the Roundtable on Sustainable Biomaterials; and

(2) an assessment of any legal or regulatory barriers to developing a standard and certification system for circular polymers.

(c) **DEFINITIONS.**—In this section:

(1) **CIRCULAR POLYMERS.**—The term “circular polymers” means polymers that can be reused multiple times or converted into a new, higher-quality product.

(2) **MASS BALANCE METHODOLOGY.**—The term “mass balance methodology” means

the method of chain of custody accounting designed to track the exact total amount of certain content in products or materials through the production system and to ensure an appropriate allocation of this content in the finished goods based on auditable bookkeeping.

SEC. 145. REPORT ON SOURCES AND IMPACTS OF DERELICT FISHING GEAR.

Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to Congress a report that includes—

(1) an analysis of the scale of fishing gear losses by domestic and foreign fisheries, including—

(A) how the amount of gear lost varies among—

(i) domestic and foreign fisheries;

(ii) types of fishing gear; and

(iii) methods of fishing;

(B) how lost fishing gear is transported by ocean currents; and

(C) common reasons fishing gear is lost;

(2) an evaluation of the ecological, human health, and maritime safety impacts of derelict fishing gear, and how those impacts vary across—

(A) types of fishing gear;

(B) materials used to construct fishing gear; and

(C) geographic location;

(3) recommendations on management measures—

(A) to prevent fishing gear losses; and

(B) to reduce the impacts of lost fishing gear;

(4) an assessment of the cost of implementing such management measures; and

(5) an assessment of the impact of fishing gear loss attributable to foreign countries.

TITLE II—ENHANCED GLOBAL ENGAGEMENT TO COMBAT MARINE DEBRIS

SEC. 201. STATEMENT OF POLICY ON INTERNATIONAL COOPERATION TO COMBAT MARINE DEBRIS.

It is the policy of the United States to partner, consult, and coordinate with foreign governments (at the national and subnational levels), civil society, international organizations, international financial institutions, subnational coastal communities, commercial and recreational fishing industry leaders, and the private sector, in a concerted effort—

(1) to increase knowledge and raise awareness about—

(A) the linkages between the sources of plastic waste, mismanaged waste and post-consumer materials, and marine debris; and

(B) the upstream and downstream causes and effects of plastic waste, mismanaged waste and post-consumer materials, and marine debris on marine environments, marine wildlife, human health, and economic development;

(2) to support—

(A) strengthening systems for reducing the generation of plastic waste and recovering, managing, reusing, and recycling plastic waste, marine debris, and microfiber pollution in the world's oceans, emphasizing upstream post-consumer materials management solutions—

(i) to decrease plastic waste at its source; and

(ii) to prevent leakage of plastic waste into the environment;

(B) advancing the utilization and availability of safe and affordable reusable alternatives to disposable plastic products in commerce, to the extent practicable, and with consideration for the potential impacts of such alternatives, and other efforts to prevent marine debris;

(C) deployment of and access to advanced technologies to capture value from post-consumer materials and municipal solid waste streams through mechanical and other recycling systems;

(D) access to information on best practices in post-consumer materials management, options for post-consumer materials management systems financing, and options for participating in public-private partnerships; and

(E) implementation of management measures to reduce derelict fishing gear, the loss of fishing gear, and other sources of pollution generated from marine activities and to increase proper disposal and recycling of fishing gear; and

(3) to work cooperatively with international partners—

(A) on establishing—

(i) measurable targets for reducing marine debris, lost fishing gear, and plastic waste from all sources; and

(ii) action plans to achieve those targets with a mechanism to provide regular reporting;

(B) to promote consumer education, awareness, and outreach to prevent marine debris;

(C) to reduce marine debris by improving advance planning for marine debris events and responses to such events; and

(D) to share best practices in post-consumer materials management systems to prevent the entry of plastic waste into the environment.

SEC. 202. PRIORITIZATION OF EFFORTS AND ASSISTANCE TO COMBAT MARINE DEBRIS AND IMPROVE PLASTIC WASTE MANAGEMENT.

(a) **IN GENERAL.**—The Secretary of State shall, in coordination with the Administrator of the United States Agency for International Development, as appropriate, and the officials specified in subsection (b)—

(1) lead and coordinate efforts to implement the policy described in section 201; and

(2) develop strategies and implement programs that prioritize engagement and cooperation with foreign governments, subnational and local stakeholders, and the private sector to expedite efforts and assistance in foreign countries—

(A) to partner with, encourage, advise and facilitate national and subnational governments on the development and execution, where practicable, of national projects, programs and initiatives to—

(i) improve the capacity, security, and standards of operations of post-consumer materials management systems;

(ii) monitor and track how well post-consumer materials management systems are functioning nationwide, based on uniform and transparent standards developed in cooperation with municipal, industrial, and civil society stakeholders;

(iii) identify the operational challenges of post-consumer materials management systems and develop policy and programmatic solutions;

(iv) end intentional or unintentional incentives for municipalities, industries, and individuals to improperly dispose of plastic waste; and

(v) conduct outreach campaigns to raise public awareness of the importance of proper waste disposal and the reduction of plastic waste;

(B) to facilitate the involvement of municipalities and industries in improving solid waste reduction, collection, disposal, and reuse and recycling projects, programs, and initiatives;

(C) to partner with and provide technical assistance to investors, and national and local institutions, including private sector actors, to develop new business opportunities and solutions to specifically reduce plastic waste and expand solid waste and post-con-

sumer materials management best practices in foreign countries by—

(i) maximizing the number of people and businesses, in both rural and urban communities, receiving reliable solid waste and post-consumer materials management services;

(ii) improving and expanding the capacity of foreign industries to responsibly employ post-consumer materials management practices;

(iii) improving and expanding the capacity and transparency of tracking mechanisms for marine debris to reduce the impacts on the marine environment;

(iv) eliminating incentives that undermine responsible post-consumer materials management practices and lead to improper waste disposal practices and leakage;

(v) building the capacity of countries—

(I) to reduce, monitor, regulate, and manage waste, post-consumer materials and plastic waste, and pollution appropriately and transparently, including imports of plastic waste from the United States and other countries;

(II) to encourage private investment in post-consumer materials management and reduction; and

(III) to encourage private investment, grow opportunities, and develop markets for recyclable, reusable, and repurposed plastic waste and post-consumer materials, and products with high levels of recycled plastic content, at both national and local levels; and

(vi) promoting safe and affordable reusable alternatives to disposable plastic products, to the extent practicable; and

(D) to research, identify, and facilitate opportunities to promote collection and proper disposal of damaged or derelict fishing gear.

(b) **OFFICIALS SPECIFIED.**—The officials specified in this subsection are the following:

(1) The United States Trade Representative.

(2) The Under Secretary.

(3) The EPA Administrator.

(4) The Director of the Trade and Development Agency.

(5) The President and the Board of Directors of the Overseas Private Investment Corporation or the Chief Executive Officer and the Board of Directors of the United States International Development Finance Corporation, as appropriate.

(6) The Chief Executive Officer and the Board of Directors of the Millennium Challenge Corporation.

(7) The heads of such other agencies as the Secretary of State considers appropriate.

(c) **PRIORITIZATION.**—In carrying out subsection (a), the officials specified in subsection (b) shall prioritize assistance to countries with, and regional organizations in regions with—

(1) rapidly developing economies; and

(2) rivers and coastal areas that are the most severe sources of marine debris, as identified by the best available science.

(d) **EFFECTIVENESS MEASUREMENT.**—In prioritizing and expediting efforts and assistance under this section, the officials specified in subsection (b) shall use clear, accountable, and metric-based targets to measure the effectiveness of guarantees and assistance in achieving the policy described in section 201.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to authorize the modification of or the imposition of limits on the portfolios of any agency or institution led by an official specified in subsection (b).

SEC. 203. UNITED STATES LEADERSHIP IN INTERNATIONAL FORA.

In implementing the policy described in section 201, the President shall direct the

United States representatives to appropriate international bodies and conferences (including the United Nations Environment Programme, the Association of Southeast Asian Nations, the Asia Pacific Economic Cooperation, the Group of 7, the Group of 20, the Organization for Economic Co-Operation and Development (OECD), and the Our Ocean Conference) to use the voice, vote, and influence of the United States, consistent with the broad foreign policy goals of the United States, to advocate that each such body—

(1) commit to significantly increasing efforts to promote investment in well-designed post-consumer materials management and plastic waste elimination and mitigation projects and services that increase access to safe post-consumer materials management and mitigation services, in partnership with the private sector and consistent with the constraints of other countries;

(2) address the post-consumer materials management needs of individuals and communities where access to municipal post-consumer materials management services is historically impractical or cost-prohibitive;

(3) enhance coordination with the private sector—

(A) to increase access to solid waste and post-consumer materials management services;

(B) to utilize safe and affordable reusable alternatives to disposable plastic products, to the extent practicable;

(C) to encourage and incentivize the use of recycled content; and

(D) to grow economic opportunities and develop markets for recyclable, reusable, and repurposed plastic waste materials and other efforts that support the circular economy;

(4) provide technical assistance to foreign regulatory authorities and governments to remove unnecessary barriers to investment in otherwise commercially-viable projects related to—

(A) post-consumer materials management;

(B) the use of safe and affordable reusable alternatives to disposable plastic products; or

(C) beneficial reuse of solid waste, plastic waste, post-consumer materials, plastic products, and refuse;

(5) use clear, accountable, and metric-based targets to measure the effectiveness of such projects; and

(6) engage international partners in an existing multilateral forum (or, if necessary, establish through an international agreement a new multilateral forum) to improve global cooperation on—

(A) creating tangible metrics for evaluating efforts to reduce plastic waste and marine debris;

(B) developing and implementing best practices at the national and subnational levels of foreign countries, particularly countries with little to no solid waste or post-consumer materials management systems, facilities, or policies in place for—

(i) collecting, disposing, recycling, and reusing plastic waste and post-consumer materials, including building capacity for improving post-consumer materials management; and

(ii) integrating alternatives to disposable plastic products, to the extent practicable;

(C) encouraging the development of standards and practices, and increasing recycled content percentage requirements for disposable plastic products;

(D) integrating tracking and monitoring systems into post-consumer materials management systems;

(E) fostering research to improve scientific understanding of—

(i) how microfibers and microplastics may affect marine ecosystems, human health and safety, and maritime activities;

(ii) changes in the amount and regional concentrations of plastic waste in the ocean, based on scientific modeling and forecasting;

(iii) the role rivers, streams, and other inland waterways play in serving as conduits for mismanaged waste traveling from land to the ocean;

(iv) effective means to eliminate present and future leakages of plastic waste into the environment; and

(v) other related areas of research the United States representatives deem necessary;

(F) encouraging the World Bank and other international finance organizations to prioritize efforts to reduce plastic waste and combat marine debris;

(G) collaborating on technological advances in post-consumer materials management and recycled plastics;

(H) growing economic opportunities and developing markets for recyclable, reusable, and repurposed plastic waste and post-consumer materials and other efforts that support the circular economy; and

(I) advising foreign countries, at both the national and subnational levels, on the development and execution of regulatory policies, services, including recycling and reuse of plastic, and laws pertaining to reducing the creation and the collection and safe management of—

(i) solid waste;

(ii) post-consumer materials;

(iii) plastic waste; and

(iv) marine debris.

SEC. 204. ENHANCING INTERNATIONAL OUTREACH AND PARTNERSHIP OF UNITED STATES AGENCIES INVOLVED IN MARINE DEBRIS ACTIVITIES.

(a) FINDINGS.—Congress recognizes the success of the marine debris program of the National Oceanic and Atmospheric Administration and the Trash-Free Waters program of the Environmental Protection Agency.

(b) AUTHORIZATION OF EFFORTS TO BUILD FOREIGN PARTNERSHIPS.—The Under Secretary and the EPA Administrator shall work with the Secretary of State and the Administrator of the United States Agency for International Development to build partnerships, as appropriate, with the governments of foreign countries and to support international efforts to combat marine debris.

SEC. 205. NEGOTIATION OF NEW INTERNATIONAL AGREEMENTS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report—

(1) assessing the potential for negotiating new international agreements or creating a new international forum to reduce land-based sources of marine debris and derelict fishing gear, consistent with section 203;

(2) describing the provisions that could be included in such agreements; and

(3) assessing potential parties to such agreements.

SEC. 206. CONSIDERATION OF MARINE DEBRIS IN NEGOTIATING INTERNATIONAL AGREEMENTS.

In negotiating any relevant international agreement with any country or countries after the date of the enactment of this Act, the President shall, as appropriate—

(1) consider the impact of land-based sources of plastic waste and other solid waste from that country on the marine and aquatic environment; and

(2) ensure that the agreement strengthens efforts to eliminate land-based sources of

plastic waste and other solid waste from that country that impact the marine and aquatic environment.

TITLE III—IMPROVING DOMESTIC INFRASTRUCTURE TO PREVENT MARINE DEBRIS

SEC. 301. STRATEGY FOR IMPROVING POST-CONSUMER MATERIALS MANAGEMENT AND WATER MANAGEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the EPA Administrator shall, in consultation with stakeholders, develop a strategy to improve post-consumer materials management and infrastructure for the purpose of reducing plastic waste and other post-consumer materials in waterways and oceans.

(b) RELEASE.—On development of the strategy under subsection (a), the EPA Administrator shall—

(1) distribute the strategy to States; and

(2) make the strategy publicly available for use by—

(A) for-profit private entities involved in post-consumer materials management; and

(B) other nongovernmental entities.

SEC. 302. SENSE OF THE SENATE FOR ISSUES TO BE INCLUDED IN STRATEGY FOR POST-CONSUMER MATERIALS MANAGEMENT AND WATER MANAGEMENT.

It is the sense of the Senate that the strategy under section 301 should address, for the purpose of reducing plastic waste and other post-consumer materials in waterways and oceans—

(1) the harmonization of post-consumer materials management protocols, including—

(A) an evaluation of waste streams to determine which waste streams are most likely to become marine debris; and

(B) a determination of how to reduce the generation of products that contribute to those waste streams;

(2) best practices for the collection of post-consumer recyclables;

(3) improved quality and sorting of post-consumer recyclable materials through opportunities such as—

(A) education and awareness programs;

(B) improved infrastructure, including new equipment and innovative technologies for processing of recyclable materials;

(C) enhanced markets for recycled material; and

(D) standardized measurements;

(4) increasing capacity, where practicable, for more types of plastic (including plastic films) and other materials to be reduced, collected, processed, and recycled or repurposed into usable materials or products;

(5) the development of new strategies and programs that prioritize engagement and co-operation with States and the private sector to expedite efforts and assistance for States to partner with, encourage, advise, and facilitate the development and execution, where practicable, of projects, programs, and initiatives—

(A) to improve operations for post-consumer materials management and reduce the generation of plastic waste;

(B) to monitor how well post-consumer materials management entities are functioning;

(C)(i) to identify the operational challenges of post-consumer materials management; and

(ii) to develop policy and programmatic solutions to those challenges; and

(D) to end intentional and unintentional incentives to improperly dispose of post-consumer materials;

(6) strengthening markets for products with high levels of recycled plastic content; and

(7) the consideration of complementary activities, such as—

(A) reducing waste upstream and at the source of the waste, including anti-litter initiatives;

(B) developing effective post-consumer materials management provisions in stormwater management plans;

(C) capturing post-consumer materials at stormwater inlets, at stormwater outfalls, or in bodies of water;

(D) providing education and outreach relating to post-consumer materials movement and reduction;

(E) monitoring or modeling post-consumer material flows and the reduction of post-consumer materials resulting from the implementation of best management practices; and

(F) incentives for manufacturers to design packaging and consumer goods that can more easily be reused, recycled, repurposed, or otherwise removed from the waste stream after their initial use.

SEC. 303. GRANT PROGRAMS.

(a) POST-CONSUMER MATERIALS MANAGEMENT INFRASTRUCTURE GRANT PROGRAM.—

(1) IN GENERAL.—The EPA Administrator may provide grants to States, as defined in section 2, to implement the strategy developed under section 301(a) and—

(A) to support improvements to local post-consumer materials management, including municipal recycling programs;

(B) to assist local waste management authorities in making improvements to local waste management systems;

(C) to deploy waste interceptor technologies, such as “trash wheels” and litter traps, to manage the collection and cleanup of aggregated waste from waterways; and

(D) for such other purposes as the EPA Administrator determines to be appropriate.

(2) APPLICATIONS.—To be eligible to receive a grant under paragraph (1), the applicant State shall submit to the EPA Administrator an application at such time, in such manner, and containing such information as the EPA Administrator may require.

(3) CONTENTS OF APPLICATIONS.—In developing application requirements, the EPA Administrator shall consider requesting that a State applicant provide—

(A) a description of—

(i) the project or projects to be carried out by entities receiving the grant; and

(ii) how the project or projects would result in the generation of less plastic waste;

(B) a description of how the funds will support disadvantaged communities; and

(C) an explanation of any limitations, such as flow control measures, that restrict access to reusable or recyclable materials.

(4) REPORT TO CONGRESS.—Not later than January 1, 2023, the EPA Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) a description of the activities carried out under this subsection;

(B) estimates as to how much plastic waste was prevented from entering the oceans and other waterways as a result of activities funded by the grant; and

(C) a recommendation on the utility of evolving the grant program into a new waste management State revolving fund.

(b) DRINKING WATER INFRASTRUCTURE GRANTS.—

(1) IN GENERAL.—The EPA Administrator may provide competitive grants to units of local government, including units of local government that own treatment works (as defined in section 212 of the Federal Water

Pollution Control Act (33 U.S.C. 1292)), Indian Tribes, and public water systems (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)), as applicable, to support improvements in reducing and removing plastic waste and post-consumer materials, including microplastics and microfibers, from drinking water, including planning, design, construction, technical assistance, and planning support for operational adjustments.

(2) APPLICATIONS.—To be eligible to receive a grant under paragraph (1), an applicant shall submit to the EPA Administrator an application at such time, in such manner, and containing such information as the EPA Administrator may require.

(C) WASTEWATER INFRASTRUCTURE GRANTS.—

(1) IN GENERAL.—The EPA Administrator may provide grants to units of local government, including units of local government that own treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)), Indian Tribes, and public water systems (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)), as applicable, to support improvements in reducing and removing plastic waste and post-consumer materials, including microplastics and microfibers, from wastewater.

(2) APPLICATIONS.—To be eligible to receive a grant under paragraph (1), an applicant shall submit to the EPA Administrator an application at such time, in such manner, and containing such information as the EPA Administrator may require.

(D) TRASH-FREE WATERS GRANTS.—

(1) IN GENERAL.—The EPA Administrator may provide grants to units of local government, Indian Tribes, and nonprofit organizations—

(A) to support projects to reduce the quantity of solid waste in bodies of water by reducing the quantity of waste at the source, including through anti-litter initiatives;

(B) to enforce local post-consumer materials management ordinances;

(C) to implement State or local policies relating to solid waste;

(D) to capture post-consumer materials at stormwater inlets, at stormwater outfalls, or in bodies of water;

(E) to provide education and outreach about post-consumer materials movement and reduction; and

(F) to monitor or model flows of post-consumer materials, including monitoring or modeling a reduction in trash as a result of the implementation of best management practices for the reduction of plastic waste and other post-consumer materials in sources of drinking water.

(2) APPLICATIONS.—To be eligible to receive a grant under paragraph (1), an applicant shall submit to the EPA Administrator an application at such time, in such manner, and containing such information as the EPA Administrator may require.

(E) APPLICABILITY OF FEDERAL LAW.—

(1) IN GENERAL.—The EPA Administrator shall ensure that all laborers and mechanics employed on projects funded directly, or assisted in whole or in part, by a grant established by this section shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code.

(2) AUTHORITY.—With respect to the labor standards specified in paragraph (1), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C.

App.) and section 3145 of title 40, United States Code.

(F) LIMITATION ON USE OF FUNDS.—A grant under this section may not be used (directly or indirectly) as a source of payment (in whole or in part) of, or security for, an obligation the interest on which is excluded from gross income under section 103 of the Internal Revenue Code of 1986.

(G) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated—

(A) for the program described subsection (a), \$55,000,000 for each of fiscal years 2021 through 2025; and

(B) for each of the programs described subsections (b), (c), and (d), \$10,000,000 for each of fiscal years 2021 through 2025.

(2) NO IMPACT ON OTHER FEDERAL FUNDS.—

(A) IN GENERAL.—No funds shall be made available under paragraph (1) to carry out subsections (b) and (c) in a fiscal year if the total amount made available to carry out the programs described in subparagraph (B) for that fiscal year is less than the total amount made available to carry out the programs described in subparagraph (B) for fiscal year 2019.

(B) PROGRAMS DESCRIBED.—The programs referred to in subparagraph (A) are—

(i) State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12);

(ii) programs for assistance for small and disadvantaged communities under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a); and

(iii) State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

SEC. 304. STUDY ON REPURPOSING PLASTIC WASTE IN INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Transportation (referred to in this section as the “Secretary”) and the EPA Administrator shall jointly enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies will—

(1) conduct a study on the uses of plastic waste in infrastructure; and

(2) as part of the study under paragraph (1)—

(A) identify domestic and international examples of—

(i) the use of plastic waste materials described in that paragraph;

(ii) infrastructure projects in which the use of plastic waste has been applied; and

(iii) projects in which the use of plastic waste has been incorporated into or with other infrastructure materials;

(B) assess—

(i) the effectiveness and utility of the uses of plastic waste described in that paragraph;

(ii) the extent to which plastic waste materials are consistent with recognized specifications for infrastructure construction and other recognized standards;

(iii) relevant impacts of plastic waste materials compared to non-waste plastic materials;

(iv) the health, safety, and environmental impacts of—

(I) plastic waste on humans and animals; and

(II) the increased use of plastic waste for infrastructure;

(v) the ability of plastic waste infrastructure to withstand natural disasters, extreme weather events, and other hazards; and

(vi) plastic waste in infrastructure through an economic analysis; and

(C) make recommendations with respect to what standards or matters may need to be

addressed with respect to ensuring human and animal health and safety from the use of plastic waste in infrastructure.

(b) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this Act and subject to the availability of appropriations, the Secretary and the EPA Administrator shall submit to Congress a report on the study conducted under subsection (a).

SEC. 305. STUDY ON EFFECTS OF MICROPLASTICS IN FOOD SUPPLIES AND SOURCES OF DRINKING WATER.

(a) IN GENERAL.—The EPA Administrator, in consultation with the Under Secretary, shall seek to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies will conduct a human health and environmental risk assessment on microplastics, including microfibers, in food supplies and sources of drinking water.

(b) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this Act, the EPA Administrator shall submit to Congress a report on the study conducted under subsection (a) that includes—

(1) a science-based definition of “microplastics” that can be adopted in federally supported monitoring and future assessments supported or conducted by a Federal agency;

(2) recommendations for standardized monitoring, testing, and other necessary protocols relating to microplastics;

(3)(A) an assessment of whether microplastics are currently present in the food supplies and sources of drinking water of United States consumers; and

(B) if the assessment under subparagraph (A) is positive—

(i) the extent to which microplastics are present in the food supplies and sources of drinking water; and

(ii) an assessment of the type, source, prevalence, and risk of microplastics in the food supplies and sources of drinking water;

(4) an assessment of the risk posed, if any, by the presence of microplastics in the food supplies and sources of drinking water of United States consumers that includes—

(A) an identification of the most significant sources of those microplastics; and

(B) a review of the best available science to determine any potential hazards of microplastics in the food supplies and sources of drinking water of United States consumers; and

(5) a measurement of—

(A) the quantity of environmental chemicals that absorb to microplastics; and

(B) the quantity described in subparagraph (A) that would be available for human exposure through food supplies or sources of drinking water.

SEC. 306. REPORT ON ELIMINATING BARRIERS TO INCREASE THE COLLECTION OF RECYCLABLE MATERIALS.

Not later than 1 year after the date of enactment of this Act, the EPA Administrator shall submit to Congress a report describing—

(1) the economic, educational, technological, resource availability, legal, or other barriers to increasing the collection, processing, and use of recyclable materials; and

(2) recommendations to overcome the barriers described under paragraph (1).

SEC. 307. REPORT ON ECONOMIC INCENTIVES TO SPUR DEVELOPMENT OF NEW END-USE MARKETS FOR RECYCLED PLASTICS.

Not later than 1 year after the date of enactment of this Act, the EPA Administrator shall submit to Congress a report describing

the most efficient and effective economic incentives to spur the development of additional new end-use markets for recyclable plastics (including plastic film), including the use of increased recycled content by manufacturers in the production of plastic goods and packaging.

SEC. 308. REPORT ON MINIMIZING THE CREATION OF NEW PLASTIC WASTE.

(a) IN GENERAL.—The EPA Administrator, in coordination with the Interagency Marine Debris Coordinating Committee and the National Institute of Standards and Technology, shall conduct a study on minimizing the creation of new plastic waste.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the EPA Administrator shall submit to Congress a report on the study conducted under subsection (a) that includes—

(1) an estimate of the current and projected United States consumption of plastics, by type of plastic, including consumer food products;

(2) an estimate of the environmental effects and impacts of plastic use in relation to other materials;

(3) an estimate of current and projected future recycling rates of plastics, by type of plastic;

(4) an assessment of opportunities to minimize the creation of new plastic waste, including consumer food products, by reducing, recycling, reusing, refilling, refurbishing, or capturing plastic that would otherwise be part of a waste stream; and

(5) an assessment of what recycled content standards for plastic are technologically and economically feasible, and the impact of the standards on recycling rates.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 2 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, January 9, 2020, at 10 a.m., to conduct a hearing on the following nominations: Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, John Charles Hinderaker, and Scott H. Rash, both to be a United States District Judge for the District of Arizona, Joshua M. Kindred, to be United States District Judge for the District of Alaska, Matthew Thomas Schelp, to be United States District Judge for the Eastern District of Missouri, and Stephen A. Vaden, of Tennessee, to be a Judge of the United States Court of International Trade.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, January 9, 2020, at 2 p.m., to conduct a closed hearing.

UNITED STATES PUBLIC HEALTH SERVICE MODERNIZATION ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 289, S. 2629.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2629) to amend the Public Health Service Act with respect to the Public Health Service Corps.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Public Health Service Modernization Act of 2019".

SEC. 2. AMENDMENTS.

(a) COMMISSIONED CORPS AND READY RESERVE CORPS.—Section 203 of the Public Health Service Act (42 U.S.C. 204) is amended—

(1) in subsection (a)(1), by striking "a Ready Reserve Corps for service in time of national emergency" and inserting "for service in time of a public health or national emergency, a Ready Reserve Corps"; and

(2) in subsection (c)—

(A) in the heading, by striking "RESEARCH" and inserting "RESERVE CORPS";

(B) in paragraph (1), by inserting "during public health or national emergencies" before the period;

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting "consistent with paragraph (1)" after "shall";

(ii) in subparagraph (C), by inserting "during such emergencies" after "members"; and

(iii) in subparagraph (D), by inserting "consistent with subparagraph (C)" before the period; and

(D) by adding at the end the following:

"(3) STATUTORY REFERENCES TO RESERVE.—A reference in any Federal statute, except in the case of subsection (b), to the 'Reserve Corps' of the Public Health Service or to the 'reserve' of the Public Health Service shall be deemed to be a reference to the Ready Reserve Corps."

(b) DEPLOYMENT READINESS.—Section 203A(a)(1)(B) of the Public Health Service Act (42 U.S.C. 204a(a)(1)(B)) is amended by striking "Active Reserves" and inserting "Ready Reserve Corps".

(c) RETIREMENT OF COMMISSIONED OFFICERS.—Section 211 of the Public Health Service Act (42 U.S.C. 212) is amended—

(1) by striking "the Service" each place it appears and inserting "the Regular Corps";

(2) in subsection (a)(4), by striking "(in the case of an officer in the Reserve Corps)";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "or an officer of the Reserve Corps"; and

(ii) by inserting "or under section 221(a)(19)" after "subsection (a)"; and

(B) in paragraph (2), by striking "Regular or Reserve Corps" and inserting "Regular Corps or Ready Reserve Corps"; and

(4) in subsection (f), by striking "the Regular or Reserve Corps of".

(d) RIGHTS, PRIVILEGES, ETC. OF OFFICERS AND SURVIVING BENEFICIARIES.—Section 221 of the Public Health Service Act (42 U.S.C. 213a) is amended—

(1) in subsection (a), by adding at the end the following:

"(19) Chapter 1223, Retired Pay for Non-Regular Service.

"(20) Section 12601, Compensation: Reserve on active duty accepting from any person.

"(21) Section 12684, Reserves: separation for absence without authority or sentence to imprisonment."; and

(2) in subsection (b)—

(A) by striking "Secretary of Health, Education, and Welfare or his designee" and inserting "Secretary of Health and Human Services or the designee of such secretary";

(B) by striking "(b) The authority vested" and inserting the following:

"(b)(1) The authority vested";

(C) by striking "For purposes of" and inserting the following:

"(2) For purposes of"; and

(D) by adding at the end the following:

"(3) For purposes of paragraph (19) of subsection (a), the terms 'Military department', 'Secretary concerned', and 'Armed forces' in such title 10 shall be deemed to include, respectively, the Department of Health and Human Services, the Secretary of Health and Human Services, and the Commissioned Corps."

(e) TECHNICAL AMENDMENTS.—Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended—

(1) in sections 204 and 207(c), by striking "Regular or Reserve Corps" each place it appears and inserting "Regular Corps or Ready Reserve Corps";

(2) in section 208(a), by striking "Regular and Reserve Corps" each place it appears and inserting "Regular Corps and Ready Reserve Corps"; and

(3) in section 205(c), 206(c), 210, and 219, and in subsections (a), (b), and (d) of section 207, by striking "Reserve Corps" each place it appears and inserting "Ready Reserve Corps".

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to and the bill, as amended, be considered read a third time.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2629), as amended, was passed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

RENAMING THE OYSTER BAY NATIONAL WILDLIFE REFUGE AS THE CONGRESSMAN LESTER WOLFF OYSTER BAY NATIONAL WILDLIFE REFUGE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 263 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 263) to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff Oyster Bay National Wildlife Refuge.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the bill pass?

The bill (H.R. 263) was passed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

APPOINTMENTS TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate joint resolutions introduced earlier today: S.J. Res. 65, 66, and 67.

There being no objection, the Senate proceeded to consider the joint resolutions, en bloc.

Mr. McCONNELL. I ask unanimous consent that the joint resolutions be passed and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

PROVIDING FOR THE REAPPOINTMENT OF JOHN FAHEY AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 65) providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S.J. RES. 65

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John Fahey of Massachusetts on February 20, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term

of six years, beginning on the later of February 20, 2020, or the date of the enactment of this joint resolution.

PROVIDING FOR THE APPOINTMENT OF DENISE O'LEARY AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 66) providing for the appointment of Denise O'Leary as a citizen regent of the Board of Regents of the Smithsonian Institution, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 66

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Barbara M. Barrett of Arizona on October 17, 2019, is filled by the appointment of Denise O'Leary of Colorado. The appointment is for a term of six years, beginning on the date of the enactment of this joint resolution

PROVIDING FOR THE REAPPOINTMENT OF RISA LAVIZZO-MOUREY AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The joint resolution (S. J. Res. 67) providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 67

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Risa Lavizzo-Mourey of Pennsylvania on February 21, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 21, 2020, or the date of enactment of this joint resolution.

NORTH AMERICAN WETLANDS CONSERVATION EXTENSION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 925, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 925) to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Barrasso substitute amendment be agreed to and the bill, as amended, be considered read the third time.

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

The amendment (No. 1276), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 925), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the Barrasso title amendment be agreed to and the motions to reconsider be considered made and laid upon the table.

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

The title amendment (No. 1277) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: "An Act to improve protections for wildlife, and for other purposes."

SAVE OUR SEAS 2.0 ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 1982, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 1982) to improve efforts to combat marine debris, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sullivan substitute amendment at the desk be considered and agreed to, and the bill, as amended, be considered read the third time.

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

The amendment (No. 1278), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Shall the bill pass?

The bill (S. 1982), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. McCONNELL. Mr. President, I take a moment to congratulate the occupant of the Chair for this important piece of legislation that will help us deal with ocean debris in a hopefully very successful way.

ORDERS FOR MONDAY, JANUARY
13, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, January 13; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Gaynor nomination; finally, that the cloture motion filed

during today's session ripen at 5:30 p.m. on Monday.

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

ADJOURNMENT UNTIL MONDAY,
JANUARY 13, 2020, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:36 p.m., adjourned until Monday, January 13, 2020, at 3 p.m.

EXTENSIONS OF REMARKS

ANNOUNCEMENT OF THE 2020 CONGRESS-BUNDESTAG/BUNDESRAT EXCHANGE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Ms. PELOSI. Madam Speaker, since 1983, the U.S. Congress House and Senate and the German Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany from Friday, May 22–Sunday, May 31, 2020. During this exchange, the delegation will attend meetings with Bundestag/Bundesrat party staff members, and representatives of numerous political, business, academic and media agencies.

A comparable delegation of German staff members will visit the United States from Saturday, June 20–Sunday, June 27, 2020. They will attend similar meetings in Washington.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of State's Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

Please note that there is a significant time commitment aspect for those selected for the program. In addition, U.S. participants are expected to plan and implement the meetings and programs for the Bundestag/Bundesrat staff members when they visit the United States.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state their qualifications, the contributions they can make to a successful

program and some assurances of their ability to participate during the time stated.

Applications should be sent to the Office of Interparliamentary Affairs, HC-4, the Capitol, by 5 p.m. on Wednesday, February 26. Questions may be directed to Ms. Kate Knudson at 202-226-1766.

CONGRATULATIONS TO COACH MARK ROBERTS

HON. JOE NEGUSE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. NEGUSE. Madam Speaker, as a source of inspiration and drive for every student who walks onto his track, Colorado's Lyons High School Head Cross Country Coach Mark Roberts is a prime example of the kind of coach we all hope our children have. I am so proud that his many years of tireless work at Lyons High is being honored by his induction into the Colorado High School Coaches Association Hall of Fame this March.

Raised in Colorado and a runner himself since high school, Coach Roberts is well-known throughout Colorado's running community and has expertly coached countless track and field students to victory. During Coach Roberts tenure, the Lyons boys and girls cross country and track and field teams won a combined 18 state championships and were runners-up an equal number of times. In 2013 alone, the Lyons High boys runners placed first, second and third to record the only perfect team score in state history. This past fall, Lyons also won every possible championship—boys and girls individual titles, as well as boys and girls team titles—joining just one other school as the first to do so since 1995.

In addition to his clear talent for coaching students to victory, Coach Roberts has also been the meet director for the St. Vrain Invitational track and St. Vrain Invitational cross country meets. These are two of the largest meets in Colorado and Coach Roberts has added innovative and exciting components to them, to not only inspire the participating athletes, but also to ensure these events are engaging for families and, truly, our entire community.

Coach Roberts is clearly an irreplaceable asset to the running and sports communities throughout Colorado and to every student athlete he serves, and his induction into the Colorado High School Coaches Association Hall of Fame is very well earned. Colorado's 2nd Congressional District and our entire state send our congratulations to Coach Roberts and wish him and the Lyons team continued victory on the field.

HONORING THE 112TH ANNIVERSARY OF ALPHA KAPPA ALPHA SORORITY

HON. RASHIDA TLAIB

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Ms. TLAIB. Madam Speaker, I rise today in tribute to Alpha Kappa Alpha Sorority, the oldest Greek-letter organization established by African American college-educated women in the United States, on its one hundred twelfth anniversary.

Founded in 1908 on the campus of Howard University in Washington, D.C., Alpha Kappa Alpha's sisterhood has grown to more than one thousand chapters worldwide with more than seventy-five thousand members strong. Michigan alone is home to more than thirty chapters, several of which serve the Wayne County and metropolitan Detroit regions. Alpha Kappa Alpha was founded with a goal of bringing like-minded women together to uplift each other, using their bond, strengths, and passions to benefit others. This sisterhood has created a vast network of sisters in service who work on countless community projects each year. The sisters of Alpha Kappa Alpha have focused their efforts to uplift the most vulnerable and impoverished individuals and advancing human and civil rights everywhere.

Please join me in recognizing Alpha Kappa Alpha on this outstanding milestone as we wish them many more years to come.

IN RECOGNITION OF SCHOOLS IN CALIFORNIA'S 39TH DISTRICT SELECTED AS 2020 CALIFORNIA DISTINGUISHED SCHOOLS

HON. GILBERT RAY CISNEROS, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. CISNEROS. Madam Speaker, it is with great pride that I rise today to honor and congratulate ten elementary schools in California's 39th District for their selection as 2020 California Distinguished Schools. The California Distinguished Schools Program is a component of the California School Recognition Program and serves to recognize schools that demonstrate outstanding education programs and practices. Schools awarded with this distinction hold the Distinguished School title for two years. This year, eligible elementary schools in the State of California were identified through a multiple measures accountability system that examines performance and progress on state indicators specified on the California School Dashboard. Schools were identified and selected within two distinct categories: Closing the Achievement Gap and Exceptional Student Performance.

Elementary schools in California's 39th District awarded this distinction include: Acacia

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Elementary School (Fullerton School District), Blandford Elementary School (Rowland Unified School District), Buena Terra Elementary School (Centralia Elementary School District), George B. Miller Elementary School (Centralia Elementary School District), Golden Elementary School (Placentia-Yorba Linda Unified School District), Killian Elementary School (Rowland Unified School District), Laguna Road Elementary School (Fullerton School District), Mesa Robles School (Hacienda La Puente Unified School District), Robert C. Fisler School (Fullerton School District), and Wedgeworth Elementary School (Hacienda La Puente Unified School District).

As California Distinguished Schools, these institutions set the standard for an immersive educational climate bound by a student-driven learning philosophy. Exceptional student achievement in each school is a testament to the efforts made by educators to realign pedagogical practices to allow for student empowerment and engagement. This relies on a comprehensive platform that supplements the breadth of academic rigor with collaboration and social support. Through programs ranging from dual immersion to positive behavior intervention, these schools reconcile differences in theory and praxis to close achievement gaps and instill traits vital to academic success. What results is a seamless integration between teacher guidance and student participation. It is this attunement to the holistic well-being of each student that sets Distinguished Schools apart.

As a strong believer in education and its life-changing advantages, there is nothing more pleasing than knowing that the community I serve is paving a brighter road for the academic future of California's youth. I am proud of the tireless efforts made by parents, teachers, administrators, and staff to advance a scholastic agenda that rewards integrated educational experiences. Madam Speaker, I ask that you and my honorable colleagues join me in congratulating these ten California Distinguished Schools for this tremendous achievement in the world of education. I am wholeheartedly assured in their ability to guide and leave a lasting impact on the students of California's 39th District.

HONORING LIEUTENANT COLONEL (LTC) RYAN NENANBER

HON. DUSTY JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. JOHNSON of South Dakota. Madam Speaker, I rise today to recognize and honor Lieutenant Colonel (LTC) Ryan Nenamber for his retirement from the United States Army after over 20 years of service.

LTC Nenamber's record of service with the U.S. Army is truly outstanding. He began his career in 2000 when he was stationed in Ft. Wainwright, Alaska and served as an Anti-Tank Platoon Leader, Rifle Platoon Leader, Company Executive Officer, and Battalion Assistant Operations Officer. LTC Nenamber then served as a Special Forces Operational Detachment ALPHA Commander and an Advanced Operational Base Executive Officer in Fort Lewis, Washington. He spent time teaching our next generation of servicemembers at

the U.S. Military Academy, and then was assigned to the U.S. Army North as a Strategic Intelligence Officer. LTC Nenamber has been deployed to Iraq, Afghanistan, and multiple locations in Asia. Currently, LTC Nenamber is the Chief of the Functional Training Branch at the United States Army Intelligence Center of Excellence.

I want to specifically recognize LTC Nenamber's leadership when he commanded an Operational Detachment ALPHA team that captured the leaders of an Al-Qaeda affiliated cell north of Baghdad, Iraq that used young boys as suicide bombers. Through their brave actions, LTC Nenamber and his team saved countless young boys—many thought to be orphans—from certain death, and prevented the execution of many disastrous suicide bombings.

Originally from Belle Fourche, LTC Nenamber is a native South Dakotan and I am proud to have such an exceptional servicemember call South Dakota home. Our state and country are better because of citizens like him. I thank LTC Nenamber and his family for their tremendous sacrifice, and I extend my deepest congratulations for his retirement.

COMMEMORATING JOE BURROW WINNING THE 2019 HEISMAN MEMORIAL TROPHY

HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. SCALISE. Madam Speaker, I rise today to congratulate Louisiana State University's quarterback, Joe Burrow, for winning the Heisman Memorial Trophy. As the most prestigious award in college football, this honor is afforded to the most outstanding player who has exhibited excellence and integrity both on and off the field. Through hard work and dedication, Joe has exemplified these qualities, and there is no other college athlete more deserving of this award.

On December 14, 2019, Joe became the first LSU player since Billy Cannon to win the Heisman, shattering previous voting records and receiving the highest percentage of first place votes. Breaking national and SEC records, Joe passed for 4,715 yards and 48 touchdowns during the regular season, completing a college football record 77.9 percent of his passes. Joe's historic season led LSU to its first SEC Championship since 2011 and a berth in the College Football Playoff.

Originally from Athens, Ohio, Joe Burrow was given the opportunity to play football at LSU by head coach Ed Orgeron. Seizing this opportunity, Joe transformed the LSU offense and overall attitude of the team. His leadership on and off the field has made Louisiana proud, and we are forever grateful for his time at LSU. On behalf of Tiger fans in Louisiana and across the nation, and as a proud LSU alumnus, I again congratulate Joe on winning the Heisman Trophy, and officially recognize him as an adopted Louisianan. Geaux Tigers.

IOWAN OF THE WEEK—DR. MIKE WELLS

HON. CYNTHIA AXNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mrs. AXNE. Madam Speaker, I rise today to ask the House of Representatives to join me in recognizing Dr. Mike Wells, Superintendent for the Hamburg Community School District for his effort to create a unique and engaging learning environment for K–8 students in the Hamburg Makerspace Program.

The Makerspace Program and Farm School serving elementary and middle school students in Hamburg, IA has been a major hit with both students and community members. Students have the opportunity to experience immersive learning environments where they gain hands on experience in a number of areas including: embroidery, wood working, culinary arts, screen printing, video game design with virtual reality, book making and so many other amazing programs each Friday for nine weeks.

I had the opportunity to see these students at work, building a house for a family in their community that was hit by devastating flooding in the Spring of 2019. The plan is for a new home to be built each year moving forward and sold to a local family at a below market rate. Dr. Wells brings an amazing learning opportunity for his students and is using it to lift up our community.

Dr. Wells has created an expectation in Hamburg Community Schools where students lead projects and obtain valuable, hands on experience. This includes The Farm School, started up in 2016, which is an effort to introduce hands on, agricultural education experiences through a functioning small farm on school property. This endeavor includes a garden, green house, poultry, and livestock. The students supply the local food pantry fresh produce and eggs year-round. Dr. Wells has made the school the center of the community and is a source of pride and learning for all residents of Hamburg, IA.

It is an honor to commemorate the outstanding achievement of Dr. Wells and his staff in the Hamburg Community School District. I have great respect and admiration for our educators and am particularly thankful for the strong foundation they are giving our kids. As the mother of two boys, I know that a quality education is crucial to success. I hope the well-rounded training and techniques they found successful in the classroom becomes a model for other districts and the country as a whole.

HONORING THE LIFE OF DR. IVERY DWIGHT CLIFTON

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. DAVID SCOTT of Georgia. Madam Speaker, I rise today to honor Dr. Ivery Dwight Clifton of Winterville, Georgia, who passed away on January 1, 2020.

Dr. Clifton was born on April 6, 1943, in Oliver, Georgia, to B.J. Clifton and Rosetta Benjamin Clifton. From the beginning, farming was

in his blood. His parents, once sharecroppers, eventually became landowners and young Ivery passionately loved their South Georgia homestead. This reverence for the land and his parents' hard work inspired Dr. Clifton's dedication to agricultural-based research, teaching and administration.

Dr. Clifton graduated from William James High School in 1961. Although his father relied on him to work the farm, his mother encouraged and supported his pursuit of higher education. He enrolled in Tuskegee Institute (University), receiving a B.S. in Agricultural Education in 1965 and an M.S. in Agricultural Economics in 1967. While at Tuskegee, he was active in the R.O.T.C., the yearbook staff, the military honor society (Scabbard and Blade) and worked as a dorm counselor to support his education. He met the love of his life, Patricia Ann Davis, during college. They wed on May 28, 1967, at the Tuskegee Chapel, a beautiful start to their 52-year marriage.

Ivery and Pat's blissful beginnings were abruptly interrupted when he answered the call to serve his country in the Army as a Lieutenant during the Vietnam War. Leaving his first job as an agricultural economist with the Tennessee Valley Authority, he served as an advisor to the South Vietnamese Army, supervised tactical logistics and served as a Quartermaster. The intensity of his battle experiences forever shaped his commitment to civic duty.

After his service in Vietnam, he was employed by the United States Department of Agriculture in Washington, D.C. There, he and his wife welcomed their first-born daughter, Kalisa Nicole. Subsequently, the family moved to Champaign, Illinois, where he earned a Ph.D. in Agricultural Economics in 1976 from the University of Illinois.

Dr. Clifton returned to Georgia, accepting an appointment as an Assistant Professor of Natural Resource Economics at the University of Georgia in Athens in 1976. He advanced through department, college, and university level positions. Notably, Dr. Clifton was the University of Georgia's first African American Dean. He led the College of Agricultural and Environmental Services and his unique leadership skills resulted in an assignment to the Presidential Office as Associate Vice President for Academic Affairs. As his career progressed, the Cliftons were blessed with a second daughter, Kelli Rochelle.

An advocate for diversity, Dr. Clifton served as graduate advisor to students from across the globe. He also championed the Young Scholars Program to develop a pipeline of minority students interested in the field of agriculture. Students described Dr. Clifton as a superb teacher. They noted his systematic use of hands-on experiments, along with excellent lectures and handouts to make the learning of difficult topics easy through his caring personality, effective communication skills and willingness to help individual students succeed whenever necessary.

Throughout his career, Dr. Clifton made significant contributions to the profession of agricultural economics, especially farm production and natural resource economics. Published extensively, his innovative expertise in economic modeling has benefited research literature and the scientific community around the world. His major contributions have advanced state-of-the-art knowledge in understanding the policy implications of controlling

non-point pollution and pricing of farm real estate. His work in developing hedonic pricing functions for farmland has been used to enhance understanding of the operation of real estate markets in the United States, Australia, and Ireland.

Dr. Clifton retired as a Lieutenant Colonel from the U.S. Army Reserves after 27 years of service. After nearly 30 years at the University of Georgia, Dr. Clifton retired in 2003, as Professor Emeritus from the College of Agricultural and Environmental Sciences.

Dr. Clifton was also a dedicated community servant leader. As a 43-year member of the First A.M.E. Church, he served on the Board of Trustees, taught bible study and led the Men's Fellowship. He was a member of Alpha Phi Alpha Fraternity, Incorporated and was a Charter Member of the Delta Psi Chapter of Sigma Pi Phi Fraternity, Incorporated (The Boule). He was inducted into Leadership Georgia and Gridiron. His service with organizations such as Rotary, The Trust for Public Land, and countless local civic roles cemented friendships that he cherished. Recently, he "unretired," sat for an exam and was appointed as a tax assessor by the Mayor and Commission of Athens-Clarke County Government. In 2016, The University of Illinois presented Dr. Clifton with the Alumni Award of Merit, given annually to graduates who have made significant contributions to their chosen profession.

Madam Speaker, Dr. Clifton's life was defined by his service to his family, to our country, and to our community. He will be forever remembered as a husband, a father, a grandfather, a veteran, an educator, an administrator, a selfless servant, and a great friend.

My wife, Alfredia, and I offer our deepest and heartfelt condolences to the Clifton family. We also lift up the family and friends of Ivery Clifton in our prayers.

LUCINDA AVRAM

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize Lucinda (Cindy) Avram, who recently passed away. She was a great Coloradan, wife, mother and grandmother.

Cindy was born in Honolulu, Hawaii and attended the University of Colorado, Boulder where she received a Bachelor of Science in 1969. She was a proud resident of Colorado and Adams County where she dedicated more than 30 years serving her community as a medical technician. As a lifelong Democrat she had a passion for politics and was very active in her party. Cindy loved her family dearly, she often spoke of them fondly to everyone she met.

I got to know Cindy through politics over the years. We spent countless hours working together for our shared values. It was because of her hard work and dedication she was awarded the 2010 Volunteer Democrat of the Year Award from the Colorado Democratic Party.

Cindy's vibrance and good work in our community will never be forgotten. Her passion, good nature and sense of humor was a true delight. On behalf of the people of the 7th

Congressional District, I honor Lucinda (Cindy) Avram for a life well-lived and extend my deepest appreciation for her contribution to our community.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. LEWIS. Madam Speaker, I was unable to cast roll call votes on November 20, 2019 and on November 21, 2019. Had I been present, I would have cast the following votes: on roll call 632, I would have voted Aye; on roll call 633, I would have voted Aye; on roll call 634, I would have voted Aye; on roll call 635, I would have voted Aye; on roll call 636, I would have voted Aye; on roll call 637, I would have voted No; on roll call 638, I would have voted Aye; on roll call 639, I would have voted Aye; on roll call 640, I would have voted Aye; on roll call 641, I would have voted Aye; and on roll call 642, I would have voted Aye.

HONORING HODARI P.T. BROWN

HON. RASHIDA TLAI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Ms. TLAI. Madam Speaker, I rise today to recognize the fine example of Hodari P.T. Brown, a resident of Redford Township, Michigan.

Mr. Brown is an active and engaged member of the community. Born and raised in Detroit, Michigan, he graduated from Detroit Public Schools before going on to earn his Bachelor of Science, Master of Business Administration, and Doctorate of Management degrees. Further, Mr. Brown is a proud military veteran.

He currently serves as Public Affairs Specialist for the U.S. Small Business Administration Michigan District Office, where he helps entrepreneurs grow their businesses with valuable resources and exposure. His dynamic career spans more than 15 years of excellence in leadership, customer service, project management, program management, public affairs and talent acquisition. Throughout his career, he has managed projects throughout key milestones for critical strategic initiatives and has helped bridge lines of communication between diverse groups and organizations.

Mr. Brown has earned numerous accolades for his hard work and leadership. He currently sits and holds offices with various advisory boards, committees and organizations such as the United State Taxpayer Advocacy Panel (TAP), First Independence Bank Millennial Advisory Board, President of Detroit Tennessee State University Alumni Association Foundation, Co-Campaign Chair of the National Business League Inc. Detroit Chapter, Board Member of BUF Connect of Michigan, and the co-founder/creator of the Young Millennium Power Hour, which is a forum for Young Entrepreneurs to get information about how to start, grow and expand a small business.

Please join me in celebrating Mr. Hodari P.T. Brown's fine example.

CONGRATULATING WHITEHAVEN
HIGH SCHOOL MATH TEACHER
NATHAN KIRSCH

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. COHEN. Madam Speaker, I rise today to congratulate Whitehaven High School math teacher Nathan Kirsch for winning the Milken Educator Award and its \$25,000 honorarium.

Mr. Kirsch was surprised with the award at a school assembly Wednesday morning where the entire student body applauded him for being the only teacher in Tennessee to receive the national distinction which some have called "the Oscar Award for teaching." In accepting the award, Mr. Kirsch called it one "for all of my students," past, current and future. The Whitehaven High School community is rightly proud of this accomplishment.

It is very encouraging that a program known as a powerhouse in athletics is also being recognized for its excellence in academics. Mr. Kirsch embodies both traditions as the coach of the school's cross-country and track teams and for being credited for raising the school's AP Calculus scores.

I also commend Whitehaven High School Principal Vincent Hunter for recognizing the importance of providing excellent educational opportunities across the board. The Milken Award is given to 40 early- and mid-career teachers across the country, often jump-starting careers while inspiring educators and their communities.

I congratulate Mr. Kirsch and all the Whitehaven Tigers on this exceptional achievement.

HONORING MR. ALEX RICHARDSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. HASTINGS. Madam Speaker, I rise today to honor Mr. Alex Richardson who recently graduated from college with a degree in Criminal Justice. Immediately following graduation, Alex was hired by the City of Sunrise Police Department and sent to the police academy. On December 9, 2019, he was pinned in a ceremony at the Sunrise police headquarters and is currently undergoing police training in his community.

Alex is known for beating the odds. He grew up without a father and lost his mother to cancer at age four. One of five children, he and his siblings were adopted by Mr. Patrick Hosler, Jr., who mentored him throughout his childhood. Alex played YFL football for his city, and he now coaches other young men and women in four sports. I am delighted that this fine young man lives in my Congressional district. I am confident that he will succeed beyond all expectations at whatever endeavor he chooses to pursue. I wish him all the very best and thank him for his service to our community.

RECOGNIZING JULIUS ("JULIE") P.
KNAPP

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. PALLONE. Madam Speaker, as we consider this critical 5G security and supply chain legislation before us, on behalf of Ranking Member WALDEN, Subcommittee on Communications and Technology Chairman DOYLE, and Subcommittee Ranking Member LATTA, I would like to commend Julius ("Julie") P. Knapp for the wonderful contributions to civil service he has made over his 45 year career.

Mr. Knapp recently retired from his position as the Federal Communications Commission's (FCC) Chief of the Office of Engineering and Technology. He is well known in our Committee because he has testified before us so many times over the years. We could always rely on his technically precise and straight-forward testimony. Mr. Knapp is an internationally-recognized expert who is known for his pragmatic and fair approach, and his ability to explain, in plain language, engineering issues to policymakers on all sides of an issue.

Julie Knapp's career ran in tandem with the growth of the American communications industry. In many ways, it was a symbiotic relationship. He graduated from high school in New Hyde, New York, in 1969, and received his engineering degree from the City College of New York in 1974. Less than a month later, he joined the FCC. At 22 years old, he started out certifying radio frequency devices. He then rose through the ranks to become Chief of the FCC laboratory, then Chief of the Policy and Rules Division for the Office of Engineering and Technology (OET), and finally Chief of OET, where he has served with extraordinary distinction since 2006.

It goes without saying that Julie Knapp could have taken the extraordinary skills he perfected at the FCC to Silicon Valley or to one of the trade associations where his work is so well regarded and appreciated. Instead, he chose to serve the United States through multiple administrations as a public servant, and his longtime contributions will make a positive difference for generations to come.

It's not surprising that Mr. Knapp's outstanding work has brought him numerous awards and accolades within the government and in the engineering community. In 2012, he received one of the highest honors for a civil servant, the Presidential Distinguished Rank Award. He also received the FCC's Gold and Silver awards and the Eugene C. Bowler award for exceptional professionalism and dedication to public service.

Here in Congress, we have been the fortunate beneficiaries of that dedication to public service. He has briefed generations of Members and congressional staffers on the intricacies of how spectrum works and why we need to harness it with careful consideration. He has provided significant and substantial input on all of the spectrum legislation passed by Congress in recent memory.

Mr. Knapp helped usher in the modern age of communications. He played an instrumental role in helping us make spectrum available to fuel our nation's economic and innovative growth. If you are accessing a mobile device right now, using WiFi or buying the latest wire-

less gadget, you are likely benefiting from Julie Knapp's work.

Julie Knapp epitomizes the non-partisan ideal of a public servant. As the leaders of the House Energy and Commerce Committee, we are grateful for his invaluable longtime service to our nation, and extend our sincerest thanks to him for dedicating his life to building America's communications systems.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. LEWIS. Madam Speaker, I was unable to cast roll call votes on December 12, 2019 and on December 17, 2019. Had I been present, I would have cast the following votes: on roll call 689, I would have voted Aye; on roll call 688, I would have voted Aye; on roll call 682, I would have voted Aye; on roll call 680, I would have voted Aye; on roll call 679, I would have voted Aye; on roll call 678, I would have voted Aye; on roll call 677, I would have voted Aye; and on roll call 676, I would have voted Nay.

RECOGNITION OF THE LIFE AND CAREER OF JIM WEILL

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. MCGOVERN. Madam Speaker, I rise today to honor Jim Weill, a dedicated advocate who has spent his 50-year career standing up for what's right, and fighting to end poverty and promote social justice in this country.

As President of the Food Research & Action Center, also known as FRAC, Jim spent the last 22 years as a vital partner in the fight to eliminate hunger—my long-time priority here in Congress.

During this time, he has worked hard to expand programs that are essential to reducing hunger for so many, including SNAP, school lunch and breakfast, after school and summer food programs, child care food, and WIC. He's also been a champion of poverty reduction measures like the refundable Child Tax Credit.

Madam Speaker, Jim's commitment to ending the epidemic of hunger in this country cannot be understated, and is exemplified by his tireless efforts to strengthen the coalition to end it. He not only helped bolster FRAC's network of state and local partners, but he's also launched and nurtured strong new anti-hunger advocacy groups, including in Maryland and the District of Columbia—bringing more allies into this important fight.

His lifetime of advocacy has led him to other prominent roles as well. Early in his career, Jim served as counsel at the Legal Assistance Foundation of Chicago as the Director of Federal Litigation and Social Impact Projects, where he worked on over 100 federal class action and impact cases. This important work helped protect people on Social Security, Medicaid, AFDC, Food Stamps, and other public benefits. He also worked to improve our immigration system and combat discrimination against racial minorities and women.

As if all that weren't enough, Jim spent 16 years as Program Director and General Counsel at the Children's Defense Fund, where he helped safeguard and expand essential programs promoting youth health and well-being. Jim played a leading role in the fight to expand Medicaid and made major contributions to the enactment of several programs to promote youth health like the Children's Health Insurance Program. His leadership on children's rights helped spur child support enforcement reforms as well as the expansion of federal fair housing laws to include families with children.

Madam Speaker, on behalf of the United States Congress and all the people in whose lives Jim has made a positive difference, it is my great privilege and honor to thank and recognize Jim Weill for his tireless efforts to create a more just and equitable world. I'm truly grateful to call him a friend.

HONORING THE SIOUX FALLS VETERANS AFFAIRS (VA) HEALTH CARE SYSTEM

HON. DUSTY JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. JOHNSON of South Dakota. Madam Speaker, I rise today to recognize and honor the Sioux Falls Veterans Affairs (VA) Health Care System for achieving a Pathway Designation from the American Nurses Credentialing Center.

The Pathway Designation is a global credential awarded to health care organizations that demonstrate an outstanding commitment to a healthy work environment that empowers and engages nurses. Investing in a positive, state-of-the-art workplace for nurses can lead to a greater culture of excellence for the entire health care facility. This has been clearly demonstrated and recognized in Sioux Falls. Therefore, this designation is a win not only for the Sioux Falls VA, but also for the greater veteran community they serve.

This award is a significant honor for the Sioux Falls VA Health Care System, validating their commitment to sustained excellence, professionalism, and dedication from the nursing staff and their patients. I commend the nurses of this organization for their outstanding record of service, care, and hard work. I extend my deepest congratulations to the Sioux Falls Veterans Affairs Health Care System for this designation.

HONORING MAYOR JOE WELLMAN

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. BUCSHON. Madam Speaker, I rise today to honor the career of Mayor Joe Wellman upon his retirement. In 1983, Mayor Wellman began his career at People's National Bank in Washington, Indiana. He later became the CEO at Peoples National Bank and served on the bank's board of directors. Once Peoples National Bank merged with German American Bank, Joe continued his

work there before retiring in 2008. After his retirement, Joe spent time as a consultant and served one year with the Federal Deposit Insurance Corporation before being elected as Mayor of Washington in 2011.

Mayor Wellman has been affiliated with many community development organizations, including the Daviess County Community Foundation, Daviess County Economic Development Corporation, Community Foundation Alliance, Accelerating Indiana Municipalities, Indiana Bankers Association, Radius Indiana, and Rotary, among many others.

It has been a pleasure to work with Mayor Wellman while he led Washington through the development of I-69 and many other projects that have increased economic development in the community. I wish Mayor Wellman and his wife, Elaine, the best in retirement as they get to spend more time with their three daughters—Brenda, Angie and Lindsay—and their 7 grandchildren.

IN REMEMBRANCE OF MRS. DORCAS R. HARDY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. WITTMAN. Madam Speaker, I rise today in recognition of the service of Mrs. Dorcas R. Hardy who passed away Thursday, November 28, 2019. She selflessly served her community through her dedicated work in health services and passionately advocated the need for more financial security education for the public. Moreover, she served her country as the first woman commissioner of the Social Security Administration in 1986. Her life was an example of dedication, toughness, love, and service from which all of us would be wise to learn.

Dorcas was born in Newark, New Jersey on July 18, 1946. In 1968, she completed her bachelor's degree at Connecticut College and subsequently obtained her Master of Business Administration degree in 1976 from Pepperdine University. As a natural-born leader, she headed the Health Services Industry Committee, Cost of Living Council from 1971 to 1973 and eventually was appointed to commissioner of the Social Security Administration in 1986 by then-president Ronald Reagan. Later, she continued to help the community by running a consulting firm and becoming a passionate advocate.

In 1996, she married Dr. Samuel Spagnolo and is survived by him and her three stepsons, along with their four grandchildren. Dorcas was a model for all of us not only in her work, but in her personal life.

Madam Speaker, I ask you to join me in honoring Mrs. Hardy and in thanking Dorcas Hardy's family for their incredible sacrifices, devotion, and service to our nation; words cannot express our gratitude. On behalf of America's First District, we say thank you.

HONORING THE LIFE OF KENNETH KAZUTO TAKEUCHI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the life of Mr. Ken Takeuchi, who passed away on December 8, 2019. Ken was the beloved voice of the Central Valley's auto racing circuit for over 60 years.

Kenneth Kazuto Takeuchi was born on January 27, 1927 in Fresno, California. During World War II, Ken and his family were ordered into internment camps in Jerome, Arkansas. Shortly after, Ken and his five brothers were drafted into the military and served their country during the war. Eventually, the family returned to Fresno and their farm. After his military service, Ken worked for the Fresno County Parks Department, before taking a different course in life.

Ken was best known as a speedway announcer and organizer of races throughout the Central Valley. He got his start in the 1950s at the Selma Speedway. His voice graced auto races throughout the state for more than 60 years. Ken was so well known, he was inducted into numerous halls of fame, including in 1995 the San Jose's Speedway Hall of Fame, the West Coast Stock Car Hall of Fame in 2017, and the Clovis Hall of Fame in 2019.

Ken was also a competitive runner. His passion for running flourished in different avenues. He was the founder of the Valley Runner of the Year series and the Pro Race Group in Fresno. His goal was always for people to come together through running and walking for good causes. In the 1980s, he began directing races. Ken also helped found the Shinzen Run, which supported the Shinzen Japanese Friendship Garden in Fresno, a cause that was deeply important to Ken and the community. In his later years, he worked with Special Olympics and appreciated his friendships with athletes of all ages.

He is survived by his daughter, Cindy Campbell and her husband Duane; brother Leo Takeuchi; sister Erma Aoki; three grandchildren, Lindsay, Chelsea, and Ashley Campbell, and his great grandchild, Melody Haussmann.

Madam Speaker, I ask my colleagues to join me in honoring the life of Mr. Ken Takeuchi. His commitment and dedication to the Central Valley sporting community left an impact on many. We join his family and friends in honoring his great life.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. LEWIS. Madam Speaker, I was unable to cast roll call votes from January 7 to 9, 2020. Had I been present, I would have cast the following votes: on roll call 1, I would have voted Present; on roll call 2, I would have voted Aye; on roll call 3, I would have voted Aye; on roll call 4, I would have voted Aye; on roll call 5, I would have voted Aye; and on roll call 6, I would have voted Aye.

CONGRATULATING DAISY PAEZ ON HER RETIREMENT

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Ms. VELÁZQUEZ. Madam Speaker, I rise today to congratulate Daisy Paez on the occasion of her retirement from the Educational Alliance after 30 years of dedication and service. The Educational Alliance is a non-profit organization established in 1889 serving thousands of Lower East Side residents and New Yorkers.

A life-long resident of the Lower East Side, Daisy's first interaction with the Educational Alliance (EA) was more than three decades ago when she enrolled her children in the early childhood program. Recognizing that a parent is a child's primary teacher, Daisy bravely registered for adult classes. She was encouraged to push herself beyond her circumstances to achieve greater opportunities for herself and her children. With the support of the Educational Alliance, Daisy proudly earned her high school diploma. This achievement empowered her to apply for an employment opportunity at the Education Alliance which hired her. She then furthered her education by taking college classes. These accomplishments emboldened her desire for community service and the betterment of her neighborhood. The Education Alliance provided an opportunity to develop her skills, leadership and helped her build a pathway for economic security for the past 30 years.

Daisy is an amazing role model for women and single parents. She is a strong and effective community advocate. In her capacity on numerous local boards, she has championed issues from demanding enhanced transportation services for seniors, to fighting for increase funding for youth programs and more access to park space.

Today, Daisy is an elected community representative, currently serving as District Leader for NYS's 65th Assembly District, Part B. She is also a member of the 7th Precinct Community Council and a graduate of the NYC Police Department's Citizens Police Academy and the FBI's Citizens' Academy. She works closely with government leaders on behalf of her constituents.

Daisy's commitment and dedication to her community is immeasurable. She has made a remarkable impression at work and in the community through her public service. I know her colleagues and members of the Educational Alliance will deeply miss her guidance, smile and energy.

I congratulate Daisy Paez on her retirement and wish her the very best to her and her family as she enters the next phase of her life.

PERSONAL EXPLANATION

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mrs. TORRES of California. Madam Speaker, as the mother of an air force veteran, my

heart goes out to every military family right now living on pins and needles over what President Trump set in motion. We still don't know what threat was so dire that President Trump needed to risk a conflict with Iran to kill their second-most powerful leader. What we do know is American lives are our nation's most precious treasure, and this president cannot be trusted to keep us safe. I was unavoidably detained during the vote and regret that I was not able to cast my vote tonight, but I wholeheartedly support the War Powers Act (H. Con. Res. 83) and would have voted in favor of it as reflected in my YEA vote and testimony in the Rules Committee the day prior.

Had I been present, I would have voted: YEA on Roll Call No. 7.

HONORING THE LIFE OF CHESTER B. PIATKOWSKI

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. KATKO. Madam Speaker, I rise today to honor the life of Chester B. Piatkowski, who passed away on December 27, 2019, at the age of 96. A veteran and devoted public servant, Chester Piatkowski will be dearly missed by his family and community.

After graduating from Vocational School in Verona, NY, Chester Piatkowski enlisted in the United States Navy, proudly serving his country in World War II. During the war, he was stationed in England, working as an Aviation Petty Officer 2nd Class, repairing PBY planes. After the war, Chester Piatkowski served as a Police Officer with the City of Syracuse, eventually rising to the rank of Sergeant. A proficient marksman, Chester Piatkowski oversaw firearms training for the Syracuse Police Department, and competed in police pistol competitions across New York State, winning several first-place trophies.

Throughout Chester Piatkowski's life, he remained very proud of his American and Polish heritage. He was active in the Polish American Legion Post 14, Seniors at the Syracuse Polish Home, and enjoyed taking Polish language classes. Additionally, he was a member of the American Legion Post 113, the Police Retirees Association, and the Holy Name society at the Basilica of the Sacred Heart.

Madam Speaker, I ask that my colleagues in the House join me in honoring the life of Chester B. Piatkowski. A veteran and devoted public servant, Chester Piatkowski's legacy will always be remembered and cherished. I encourage my colleagues to keep his family in their prayers during this truly difficult time.

THE U.S.-INDIA ALLIANCE

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. PERRY. Madam Speaker, I rise today to recognize the strong relationship between the

United States and India. Since our two countries established diplomatic relations in 1946 through the 2005 launch of our strategic partnership, the United States and India have had a long and storied history. I thank Ambassador Shringla for his friendship and his deep commitment to maintaining our strong US-India alliance. I wish him the best of luck in his future endeavors.

I stand with India in their aspiration to provide equal economic, social, and political opportunities to all citizens. As part of this pursuit, two-thirds of the Indian Parliament voted last year to change the status of Jammu and Kashmir. This vote allowed the government of India to address the stagnant economy and high youth unemployment plaguing the region by providing economic opportunity and sound governance. The residents of Jammu and Kashmir have battled economic depression and forces of extremism and radicalization for too long. The regional stability now provided by government will give residents of Jammu and Kashmir a better way forward and hope for the future.

RECOGNIZING THE 30TH ANNIVERSARY OF BLACK JANUARY

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Mr. GOSAR. Madam Speaker, I rise today in remembrance of the 30th anniversary of the events in Azerbaijan culminating in what is now known as Black January. In January 1990, the former U.S.S.R. attempted to continue to suppress freedom and impose its political will on the people of Azerbaijan. At that time, however, the people of Azerbaijan decided that they had enough of Soviet control and resisted.

At night, the Red Army marched into Baku to stem the movements for equality and freedom. While the Azeris used peaceful protests and calls for freedom, the Soviets responded with guns and tanks. These actions resulted in 147 civilian deaths, with hundreds more wounded and imprisoned.

The Azeris had seen what happened to prior independence movements in the Soviet Union, yet they persevered on. This tragedy only emboldened them in their cause, carrying on the mission of their countrymen which culminated in their August 1991 independence.

Since this monumental declaration, Azerbaijan has been a beacon of freedom in the region as well as a friend and ally of the United States. At this time, we memorialize those fallen and celebrate the continued strength of the Republic of Azerbaijan.

Madam Speaker, I strongly urge my colleagues to recognize Black January and join in the honoring of allies in Azerbaijan and their quest for liberation.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S99–S149

Measures Introduced: Twelve bills and seven resolutions were introduced, as follows: S. 3170–3181, S.J. Res. 65–68, S. Res. 466–467, and S. Con. Res. 33.

Pages S124–25

Measures Reported:

Report to accompany S. 876, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry. (S. Rept. No. 116–201)

Report to accompany S. 2668, to establish a program for research, development, and demonstration of solar energy technologies. (S. Rept. No. 116–202)

Report to accompany S. 2368, to amend the Atomic Energy Act of 1954 and the Energy Policy Act of 2005 to support licensing and relicensing of certain nuclear facilities and nuclear energy research, demonstration, and development. (S. Rept. No. 116–203)

Page S124

Measures Passed:

United States Public Health Service Modernization Act: Senate passed S. 2629, to amend the Public Health Service Act with respect to the Public Health Service Corps, after agreeing to the committee amendment in the nature of a substitute.

Page S147

Congressman Lester Wolff Oyster Bay National Wildlife Refuge: Committee on Environment and Public Works was discharged from further consideration of H.R. 263, to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff Oyster Bay National Wildlife Refuge, and the bill was then passed.

Pages S147–48

Smithsonian Institution Board of Regents: Senate passed S.J. Res. 65, providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Page S148

Smithsonian Institution Board of Regents: Senate passed S.J. Res. 66, providing for the appointment of Denise O’Leary as a citizen regent of the Board of Regents of the Smithsonian Institution.

Page S148

Smithsonian Institution Board of Regents: Senate passed S.J. Res. 67, providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Page S148

America’s Conservation Enhancement Act: Senate passed H.R. 925, to improve protections for wildlife, after agreeing to the following amendments proposed thereto:

Page S148

McConnell (for Barrasso) Amendment No. 1276, in the nature of a substitute.

Page S148

McConnell (for Barrasso) Amendment No. 1277, to amend the title.

Page S148

Save Our Seas 2.0 Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 1982, to improve efforts to combat marine debris, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S148–49

McConnell (for Sullivan) Amendment No. 1278, in the nature of a substitute.

Pages S148–49

Gaynor Nomination—Cloture: Senate began consideration of the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

Pages S115–19

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, January 9, 2020, a vote on cloture will occur at 5:30 p.m. on Monday, January 13, 2020.

Pages S115–16

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Page S115

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S115

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, January 13, 2020, Senate resume consideration of the nomination; and that the motion to invoke cloture filed during the session of Thursday, January 9, 2020, ripen at 5:30 p.m., on Monday, January 13, 2020.

Page S149

Nominations Confirmed: Senate confirmed the following nominations:

By 50 yeas to 44 nays (Vote No. EX. 10), Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Pages S100–15

During consideration of this nomination today, Senate also took the following action:

By 50 yeas to 45 nays (Vote No. EX. 9), Senate agreed to the motion to close further debate on the nomination.

Pages S103–04

Cynthia L. Attwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2025.

Amanda Wood Laihow, of Maine, to be a Member of Occupational Safety and Health Review Commission for the remainder of a term expiring April 27, 2023.

Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services for a term of four years.

Page S119

Nominations Received: Senate received the following nominations:

Fernando L. Aenlle-Rocha, of California, to be United States District Judge for the Central District of California.

Stanley Blumenfeld, of California, to be United States District Judge for the Central District of California.

Grace Karaffa Obermann, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mark C. Scarsi, of California, to be United States District Judge for the Central District of California.

Stephen Sidney Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Scott J. Laurer, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

J. David Patterson, of Tennessee, to be Deputy Under Secretary of Defense for Personnel and Readiness.

109 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

11 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps.

Messages from the House:

Pages S123–24

Measures Referred:

Page S124

Measures Placed on the Calendar:

Page S124

Executive Communications:

Page S124

Petitions and Memorials:

Page S124

Additional Cosponsors:

Pages S124–27

Statements on Introduced Bills/Resolutions:

Page S127

Additional Statements:

Pages S123–29

Amendments Submitted:

Page S129

Authorities for Committees to Meet:

Page S147

Record Votes: Two record votes were taken today. (Total—10)

Pages S104, S115

Adjournment: Senate convened at 10 a.m. and adjourned at 5:36 p.m., until 3 p.m. on Monday, January 13, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S149.)

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 5563–5573; and 6 resolutions, H. Res. 782–787, were introduced.

Page H148

Additional Cosponsors:

Pages H149–50

Report Filed: A report was filed today as follows:

H.R. 1230, to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify

appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, with an amendment (H. Rept. 116–372).

Page H148

Recess: The House recessed at 11:01 a.m. and reconvened at 12 noon.

Page H73

Journal: The House agreed to the Speaker's approval of the Journal by voice vote.

Pages H73–74, H92

Directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran: The House agreed to H. Con. Res. 83, directing the President pursuant to section 5(c) of the War Powers Resolution to terminate the use of United States Armed Forces to engage in hostilities in or against Iran, by a yea-and-nay vote of 224 yeas to 194 nays, Roll No. 7.

Pages H92–H116

Pursuant to the Rule, the amendment printed in H. Rept. 116–371 shall be considered as adopted.

Page H92

H. Res. 781, the rule providing for consideration of the concurrent resolution (H. Con. Res. 83) was agreed to by a yea-and-nay vote of 226 yeas to 193 nays, Roll No. 6, after the previous question was ordered by a yea-and-nay vote of 227 yeas to 191 nays, Roll No. 5.

Pages H78–92

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Wednesday, January 8th.

Prison to Proprietorship Act: H.R. 5078, amended, to amend the Small Business Act to provide re-entry entrepreneurship counseling and training services for incarcerated individuals, by a $\frac{2}{3}$ yea-and-nay vote of 370 yeas to 41 nays, Roll No. 8.

Page H116

PFAS Action Act: The House considered H.R. 535, to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Consideration is expected to resume tomorrow, January 10th.

Pages H116–42

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–45, modified by the amendment printed in part A of H. Rept. 116–366, shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill.

Page H125

Agreed to:

Woodall amendment (No. 1 printed in part B of H. Rept. 116–366) that amends Section 18 to ensure the FAA and State and local building code inspectors and fire marshals are at the guidance-making table;

Pages H127–28

Hudson amendment (No. 4 printed in part B of H. Rept. 116–366) that directs the EPA to investigate methods to prevent contamination by GenX of surface waters, including source waters used for drinking water purposes;

Pages H129–30

Hudson amendment (No. 5 printed in part B of H. Rept. 116–366) that clarifies that communities impacted by contamination of the chemical GenX are eligible for grants under this section;

Pages H130–31

Delgado amendment (No. 7 printed in part B of H. Rept. 116–366) that makes it illegal for an industrial facility to introduce PFAS into a sewage treatment system without first disclosing information about that substance;

Pages H132–33

Pingree amendment (No. 8 printed in part B of H. Rept. 116–366) that expands EPA's Safer Choice Program to include carpets, rugs, clothing, and upholstered furniture that do not contain PFAS;

Pages H133–34

Kildee amendment (No. 9 printed in part B of H. Rept. 116–366) that creates a tool on EPA's website to help people understand testing results for their well water and connect them to local health and government resources and authorizes \$1 million to be appropriated for fiscal year 2021 to carry this out;

Pages H134–35

Tonko amendment (No. 10 printed in part B of H. Rept. 116–366) that requires the EPA to make publicly available on its website, the results of a determination under subsection 2(b) no later than 60 days after such determination is made;

Pages H135–36

Rice (NY) amendment (No. 11 printed in part B of H. Rept. 116–366) that increases authorization of appropriations for the PFAS Infrastructure Grant Program by 25 percent and designates the increase for reimbursing affected community water systems that have previously implemented eligible treatment technologies;

Page H136

Brown (MD) amendment (No. 12 printed in part B of H. Rept. 116–366) that requires the Administrator of the Environmental Protection Agency to develop a national risk-communication strategy to inform the public about the hazards of PFAS substances;

Pages H136–37

Plaskett amendment (No. 14 printed in part B of H. Rept. 116–366) that makes U.S. territories eligible for additional Safe Drinking Water Act funding to address emerging contaminants including PFAS;

Page H139

Brindisi amendment (No. 15 printed in part B of H. Rept. 116–366) that requires the EPA, within 180 days, to issue a final rule listing PFOS and PFOA as hazardous air pollutants under the Clean Air Act, while ensuring that EPA has access to the needed science before making regulatory decisions on other PFAS chemicals, to harmonize with other Comprehensive Environmental Response, Compensation, and Liability Act provisions in the bill;

Pages H139–40

Brindisi amendment (No. 16 printed in part B of H. Rept. 116–366) that requires the EPA Administrator to offer for public comment those technologies deemed as effective at removing detectable amounts of PFAS from drinking water;

Pages H140–41

Golden amendment (No. 17 printed in part B of H. Rept. 116–366) that directs the EPA Administrator, in consultation with the U.S. Fire Administration, to submit an annual report to Congress on the effectiveness of the guidance required under Section 18 of the bill; and

Page H141

Axne amendment (No. 18 printed in part B of H. Rept. 116–366), as modified, that authorizes the PFAS Infrastructure Grant Program for an additional three years.

Pages H141–42

Proceedings Postponed:

Burgess amendment (No. 2 printed in part B of H. Rept. 116–366) that seeks to strike Section 2, which directs the EPA to designate PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act;

Pages H128–29

Balderson amendment (No. 6 printed in part B of H. Rept. 116–366) that seeks to prevent implementation of the underlying bill until after the EPA Administrator certifies that its own PFAS Action Plan is completed; and

Pages H131–32

Pappas amendment (No. 13 printed in part B of H. Rept. 116–366) that seeks to require the Administrator of the Environmental Protection Agency to review and develop effluent standards, pretreatment standards, and water quality criteria for PFAS under the Federal Water Pollution Control Act.

Pages H137–39

H. Res. 779, the rule providing for consideration of the bill (H.R. 535) was agreed to yesterday, January 8th.

Consensus Calendar: Representative Stivers presented to the clerk a motion to place on the Consensus Calendar the bill H.R. 4305, to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, it having accumulated 290 cosponsors.

Page H148

Senate Referrals: S. 1228 was held at the desk. S. 1611 was referred to the Committee on Energy and Commerce.

Page H146

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H78.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H91, H91–92, H115–16, and H116. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Energy held a markup on H.R. 2906, the “Clean Commute for Kids Act of 2019”; H.R. 3361, the “Reliable Investment in Vital Energy Reauthorization Act”; H.R. 3079, the “Energy Savings Through Public-Private Partnerships Act of 2019”; H.R. 5518, a bill to require the Secretary of Energy to carry out a Clean Cities Coalition Program, and for other purposes; H.R. 5542, a bill to require the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution systems; H.R. 5541, a bill to amend the Energy Policy Act of 1992 to reauthorize programs to assist consenting Indian tribes in meeting energy education, planning, and management needs, and for other purposes; H.R. 5527, the “21st Century Power Grid Act”; H.R. 1426, the “Timely Review of Infrastructure Act”; and H.R. 5545, the “NO EX-HAUST Act of 2020”. H.R. 2906, H.R. 3361, H.R. 3079, H.R. 5518, H.R. 5542, H.R. 5541, H.R. 5527, H.R. 1426, and H.R. 5545 were forwarded to the full Committee, without amendment.

UNDERSTANDING THE IMPORTANCE OF DHS PREPAREDNESS GRANTS: PERSPECTIVES FROM THE FIELD

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Recovery held a hearing entitled “Understanding the Importance of DHS Preparedness Grants: Perspectives from the Field”. Testimony was heard from W. Greg Kierce, Director, Jersey City Office of Emergency Management and Homeland Security, New Jersey; Michael A. Sprayberry, Director, North Carolina Emergency Management, North Carolina Office of Recovery and Resiliency; John J. Miller, Deputy Commissioner, Intelligence and Counterterrorism, New York City Police Department; and a public witness.

2020 ELECTION SECURITY-PERSPECTIVES FROM VOTING SYSTEM VENDORS AND EXPERTS

Committee on House Administration: Full Committee held a hearing entitled “2020 Election Security-Perspectives from Voting System Vendors and Experts”. Testimony was heard from Mike Gianasi, County Clerk and Recorder, Christian County, Taylorville, Illinois; Donald Palmer, Commissioner, Election Assistance Commission, Silver Spring, Maryland; and public witnesses.

REACHING HARD-TO-COUNT COMMUNITIES IN THE 2020 CENSUS

Committee on Oversight and Reform: Full Committee held a hearing entitled “Reaching Hard-to-Count Communities in the 2020 Census”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Science, Space, and Technology: Full Committee held a markup on H.R. 5260, the “Promoting Research and Observations of Space Weather to Improve the Forecasting of Tomorrow Act”. H.R. 5260 was ordered reported, as amended.

FARMING IN THE 21ST CENTURY: THE IMPACTS OF AGRICULTURE TECHNOLOGY IN RURAL AMERICA

Committee on Small Business: Subcommittee on Innovation and Workforce Development held a hearing entitled “Farming in the 21st Century: The Impacts of Agriculture Technology in Rural America”. Testimony was heard from public witnesses.

PROPOSALS FOR A WATER RESOURCES DEVELOPMENT ACT OF 2020

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled “Proposals for a Water Resources Development Act of 2020”. Testimony was heard from Rickey Dale James, Assistant Secretary of the Army (Civil Works), Office of the Assistant Secretary of the Army—Civil Works; and Lieutenant

General Todd T. Semonite, Chief of Engineers and Commanding General, U.S. Army Corps of Engineers.

REVIEWING THE AVAILABILITY OF RESOURCES TO ADDRESS VETERAN HUNGER

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled “Reviewing the Availability of Resources to Address Veteran Hunger”. Testimony was heard from Thomas O'Toole, Senior Medical Advisor, Providence VA Medical Center, Veterans Health Administration, Department of Veterans Affairs; Christine Going, Co-Chairperson, Veterans Health Affairs Ensuring Veterans Food Security Workgroup, Veterans Health Administration, Department of Veterans Affairs; Pamilyn Miller, Administrator, Food and Nutrition Service, Department of Agriculture; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D10)

H.R. 1424, to amend title 38, United States Code, to ensure the Secretary of Veterans Affairs permits the display of Fallen Soldier Displays in national cemeteries. Signed on January 7, 2020. (Public Law 116–106)

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 10, 2020

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

3 p.m., Monday, January 13

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security, and vote on the motion to invoke cloture thereon at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, January 10

House Chamber

Program for Friday: Complete consideration of H.R. 535—PFAS Action Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Axne, Cynthia, Iowa, E18
 Bucshon, Larry, Ind., E21
 Cisneros, Gilbert Ray, Jr., Calif., E17
 Cohen, Steve, Tenn., E20
 Costa, Jim, Calif., E21
 Gosar, Paul, Ariz., E22

Hastings, Alcee L., Fla., E20
 Johnson, Dusty, S. Dak., E18, E21
 Katko, John, N.Y., E22
 Lewis, John, Ga., E19, E20, E21
 McGovern, James P., Mass., E20
 Neguse, Joe, Colo., E17
 Pallone, Frank, Jr., N.J., E20
 Pelosi, Nancy, Calif., E17

Perlmutter, Ed, Colo., E19
 Perry, Scott, Pa., E22
 Scalise, Steve, La., E18
 Scott, David, Ga., E18
 Tlaib, Rashida, Mich., E17, E19
 Torres, Norma J., Calif., E22
 Velázquez, Nydia M., N.Y., E22
 Wittman, Robert J., Va., E21



Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at www.govinfo.gov, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, contactcenter@gpo.gov. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.