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 phony 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 unconstitutional 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 illegal actions of another President, Richard Nixon, the bombing of Cambodia.

There were two versions. One followed the Constitution, and said, 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 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 have 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.
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 to eliminate the 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 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 the President 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 be at 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 advances in nuclear, biological, and chemical 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 service-members 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 continue 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 ravaged 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 been born without knowing what war is. Millions of refugees have been permanently displaced.

I remind our 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.

**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 demilitarization 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 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 pontificate on the legality 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 under the Constitution. 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 predefined.

And that was what 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 deploy 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 decision to 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, 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 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 service members overseas defending our Nation and for a strategic, peaceful solution to avoid another costly war in the Middle East.

Instead, I ask the President to reverse course and follow the careful, measured approach of former President Obama, who worked across the aisle with Democrats and Republicans to bring our troops home from a failed war in Iraq.

In recent years, the Justice Department has made clear that even in the absence of explicit congressional permission if the President may act without Congressional consultation and approval.

Constitutionally, the Commander in Chief who will not allow another Benghazi on his watch.

In recent years, the Justice Department has made clear that even in the absence of explicit Congressional permission if the President may act without Congressional consultation and approval.

Constitutionally, the Commander in Chief who will not allow another Benghazi on his watch.

In recent years, the Justice Department has made clear that even in the absence of explicit Congressional permission if the President may act without Congressional consultation and approval.
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 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 students 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 IMPLEMENTING FF A AG PROGRAM

Mr. PENCE. Mr. Speaker, I rise to congratulate South Dearborn High School for implementing 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.

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-Qaeda 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—but it could have been saved, 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 Lever Act 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 chance 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 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.

I 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 this critical issue, helping bring the FDA after dangerous medical devices remained in use after causing serious injury and death. He was an Eagle.
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. 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 7,000 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 HHS Administrator Alex Azar repeatedly 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 certainly unacceptable, especially now, as HHS Secretary Alex Azar and HUD 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 to sources of inspiration forcountless 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.

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. Even 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 48 years 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 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. BRENDA N F. BOYLE) for 5 minutes.

Mr. BRENDA N 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 of Mr. Allen Beermann’s commendable public service, and wish him good luck in his retirement.

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

Mr. Speaker, 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 Shanahan, I went to 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 congressional districts encompass 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 PFAS that we worked on—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 come 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 from Nebraska (Mr. Beermann), my friend and colleague, from the fact that, when I was in the State legislature and he was a Congressman, 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 here by how many laws I made live.”

That was a quote that Mike has stated, and I think it is important if all of us remember this. So, in that spirit, 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 with 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 23 at the age of 56 after a battle with cancer.

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 service and 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 Brunswick, 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.

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 of service 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 CLAIR AND WOFFORD FAZIER

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Ms. Clair Wofford Frazier, who passed away on December 23, 2019, at the age of 56, 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 education 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.
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 gentleman 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 gentleman will state his parliamentary inquiry.

Mr. GRIFFITH. 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 take over the Speaker’s Office of the House, 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.

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 gentleman is inquiring about 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. 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.

TAKING 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 are going to be 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 James Hard, 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.)

Ms. JACKSON LEE. Madam Speaker, I rise to congratulate Jack Yates High School in my district of Georgia. Jack Yates High School is one of the most successful high schools in the state of Georgia.

Last year, Jack Yates High School received the Georgia’s Governor’s Award for Academic Excellence. This is a tremendous accomplishment that is a testament to the hard work and dedication of the students, teachers, and staff at Jack Yates High School.

Thank you, Madam Speaker.
Kelly’s Angels team for achieving this work continues to have a positive impact on 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-Qaeda. 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.

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. 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 astronauts Christina Koch and 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 all the best on her ongoing 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 dependence.

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 sending 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 would give us 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. 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 the 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. 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 law enforcement officers, men, and women, 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 going on 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 the promise to the Nation. Americans in the Virgin Islands and in Puerto Rico are feeling the brunt of aging and weakening infrastructure—
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 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. The request is granted:

**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(a) 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.

Delivered by order of the House to the Senate.
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 not be starting, endlessly, new 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.

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, to work with others in this Congress to work through 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 determined 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 war, as determined by his Commander in Chief. 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 the President sees 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 is a specific statutory authorization of action; or
- There is 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 heavily damaged 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 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 is 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 war between the United States and Iran is being run by 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, 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 that 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 national security?

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 a 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 reeks with 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 President, 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 introducing hostilities if Congress so directs by concurrent resolution.

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 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 force for the President. We have covered all bases here because we are deeply concerned that we may end up in a war inadvertently here, and Congress will have no role in it.

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 gentleman 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, was accused of committing 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, this Congress better step up and assert 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 resolution.

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 Iran, 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 few weeks we could get 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.

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 conflict 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 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 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 servicemen 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, clearly, 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 the gentleman from Oklahoma 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, on provocation by the mullahs.

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 want to mention I know my friend is very sincere in his opinions on expanding congressional war powers. 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 Escalate, 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. Qassem Suleimani, Iran’s second-most powerful commander, American military officials put the option of killing him—which they viewed as the most extreme response to recent Iranian-led violence—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 voiced support for provoking actionable options to presidents to make other possibilities appear more palatable.

After initially rejecting the Suleimani option, then President Barack Obama turned it into an Iranian-backed Shiite militia group instead, a few days later Mr. Trump watched, fuming, as television reports showed Iranian-backed militias attacking 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, after two high-level meetings in which the administration about the significance of what some officials said was a new stream of intelligence that warned of threats to American 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 a General Sublime’s 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 “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 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 told General Suleimani to come to Tehran for further discussions at least a week before his death.

Secretary of Defense Mark T. Esper 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 behind-the-scenes 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 others are also false, and that she would not discuss conversations between General Milley and the president.”

The fallout from Mr. Trump’s targeted killing of the Iranian commander 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 tracks to 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 region 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 launchers for a major strike against American targets or allies in the region in retaliation for General Suleimani’s death.

Mr. Trump’s approach in recent days has grown suspicious about the intelligence that led to the killing. At the White House, officials formally notified Congress of a war powers resolution with what some administration officials said was a legal justification for the strike.

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

General Suleimani, who was considered the most important person in Iran after Ayatollah Khamenei, was a revered member of the ayatollah’s inner circle and a General of the Islamic republic.

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, the United States has described 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, but that a short war began because of what administration officials described as a “Requested President 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 December 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 short-range missile facilities in order to deter Iranian-backed militia groups in Iraq. The Pentagon also prodded 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 the strikes against a Popular Mobilization Forces unit, which it said had struck three locations in Iraq and two in Syria controlled by the group, Kataib Hezbollah.

Jonah Hoffer, 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. President Donald J. Trump, a long-time enemy of Iran, 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 attack on the American compound in Benghazi, Libya, became increasingly angry as he watched television reports of pro-Iranian militias storming the embassy. aides said he worried that no response would look weak after repeated threats by the United States.

Mr. Trump chose to opt for 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 Suleimani, 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 Suleimani 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 Suleimani’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 Foreign Affairs Committee.

Mr. MORELLE. Madam Speaker, I thank the distinguished chair and my colleagues 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 gentleman 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 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 keeping their promise of no 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 gentleman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 30 seconds to the gentleman 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 gentleman has again expired.

Mr. BURGESS. Madam Speaker, I yield an additional 30 seconds to the gentleman 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.

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]

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, “I have behaved a little bit 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 General Suleimani last week, a sigh of relief was breathed, but for what? That there had been no casualties. 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 disorienting 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 threats. “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. 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 in the face of 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 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 compromising for—if not further military attacks—subsequent responses, such as cyberattacks or even kidnappings. To a fault, they, too, are defending Iran’s position on the wake of the attacks is welcome 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 to fight. But, 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 shied away from his predecessor’s signature Iran nuclear deal, and puttting himself on the back for the death of Soleimani and Abu Bakr al-Baghdadi, the leader of the Islamic State whom the United States killed in October. “His speech was confusing about his strategy to clear up the mess 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 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 policy, had failed to adequately contemplate and prepare for the international and Iranian response to the airstrike against Iranian general Qassem Soleimani. Indeed, the Trump administration certainly appeared to be caught flat-footed when the Iranian parliament voted to expel U.S. troops from the country over the weekend. While the news a few days before 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 argued more questions than they answered about the urgency of the action and context of the region put it, “There is no strategy. It is satisfying Trump’s ego at every step. It’s all it is for, 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 be largely summed up as “the more Trump’s ego is satisfied, the more appeasement is necessary.”

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 policy, had failed to adequately contemplate and prepare for the international and Iranian response to the airstrike against Iranian general Qassem Soleimani. Indeed, the Trump administration certainly appeared to be caught flat-footed when the Iranian parliament voted to expel U.S. troops from the country over the weekend. While the news a few days before 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 argued more questions than they answered about the urgency of the action and context of the region put it, “There is no strategy. It is satisfying Trump’s ego at every step. It’s all it is for, 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 be largely summed up as “the more Trump’s ego is satisfied, the more appeasement is necessary.”

The closest through line in Trump’s various foreign policy decisions can be largely summed up as “the more Trump’s ego is satisfied, the more appeasement is necessary.”

Mr. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.

Mr. M. McGovern. Madam Speaker, I yield myself such time as I may consume to respond to the gentlewoman. I urge the gentlewoman, who reads the floor to debate it now. If I had nothing to do, I would not have the guts to come to the floor to debate it and voted on it. I urge the gentlewoman to consider the House resolution and rule are imperative to assert constitutional authority to this resolution and rule.
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 in the post-strike review processes that include careful reviews of all strikes after they are conducted to assess the effectiveness of operations, the post-strike review processes have evolved over time to ensure that they incorporate the best available all-source intelligence, media reporting, and other information to re-examine the characteristics 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 draws on all available information that may be based on inaccurate information.

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

In many cases, 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 on 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-classified non-governmental organizations’ estimates range from more than 200 to slightly more than 900 possible non-combatant deaths outside areas of active hostilities.

Congressional requirements applicable to future reporting under Section 3(b) of the Authorization for Use of Military Force (AUMF) and the Defense Authorization Act for Fiscal Year 2014 require the U.S. Government to provide information to the DNI.

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 target and 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 terrorism 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 occur. The 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? President Barack Obama took action that led to the death of Muammar Qadafi? 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, and we are seeking out ways to limit 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.

WASHINGTON, D.C. — Several weeks now I have been calling for an internationally-enforced no-fly-zone over Libya in order to prevent Colonel Qadaffi 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 Qadaffi 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 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.

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. For me, it is not. For me, I have been consistent on this through Democratic and Republican administrations.
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’s administration 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 stories 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 LEVIN’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. MCGOVERN. Madam Speaker, I yield the gentleman from Pennsylvania (Mr. PERRY), a valuable member of the House Committee on Foreign Affairs.

Mr. PERRY. Madam Speaker, I want to 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 into 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 we 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, if we defeat the previous question, I will offer an amendment to the rule to provide for immediate consideration of H. Res. 763, 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 about that 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 defend 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 turn 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 worst 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 deterrent, delivered justice to hundreds of dead American soldiers and their families, and severely weakened the terrorist organization IRGC Quds Force, my colleagues are trying to rewrite history 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, 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, their hands 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 enemy, Soleimani, 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, and 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 the most dangerous 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 ill-conceived consequences for American security and interests in the Middle East.

The President trashed the Joint Comprehensive Plan of Action, which Iran had followed 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 escalating 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 my colleague 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 that is what you need to do. 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 volunteered for every day is to keep 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.

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 service-members, 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 exploits of Soleimani were. And it is that kind of thinking that led to 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.

That terrorist, because of his savage actions, I, as a former Green Beret who, as a former Green Beret who, couldn’t open up presents with their loved ones. No longer will they celebrate birthdays or holidays because of this one evil man.

That terrorist, because of his savage actions, I, as a former Green Beret who, couldn’t open up presents with their loved ones. No longer will they celebrate birthdays or holidays because of this one evil man.

Ms. DELAUNO. 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 service members, and his removal should be celebrated.

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 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. Let me remind you that inaction has consequences. Let me remind you that inaction has consequences.

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. Let me remind you that inaction has consequences. Let me remind you that inaction has consequences.

Ms. DELAUNO. 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 yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAUNO).

Ms. DELAUNO. 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 service members, and his removal should be celebrated.

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. 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. Let me remind you that inaction has consequences. Let me remind you that inaction has consequences.

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. Let me remind you that inaction has consequences. Let me remind you that inaction has consequences.

Ms. DELAUNO. 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 yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAUNO).
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 time 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 every 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 of the United States. Therefore, Madam Speaker, I reserve the balance of my time.

Mr. McGOVERN. Madam Speaker, I include in the RECORD a January 3 CNN article, ‘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.

It was a shock to many 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 unrequited 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 power with whom the US is not formally at war—at least 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 has learned a very important lesson,” said a White House official on condition of anonymity.

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 the US will position inside Iran where the regime is besieged by an economic crisis and recently crushed mass protests.

But Iran will 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.

“Nothing is for certain,” says one US government official. “But if Iran lets this go, it is not going to happen again in the near future.”

That is not to say that Iran will not act. It has been ramping up its regional influence for months.

The killing of Soleimani is a massive symbolic blow to Iran. He was the Godfather of the Iranian Revolutionary Guards Corps of its regional influence and dings its regional power at least at first.

If the US 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 powerful regional power, 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 could cast doubts on his judgment given his quickening reelection race.

The killing of Soleimani could also reshape the dynamics of the presidential election race at home, by opening a lane for Democratic candidate Bernie Sanders on Friday in 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 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 and our allies in the next few weeks, and information that the administration would have been culpably negligent if it did not act, all in regards to the killing of General Soleimani.

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 AGAINST IRAN—REP. SLOTKIN, D-MI, AND 148 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 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 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 continued threat posed by Iraq.” Public Law 107-243, § 3(a)(1). The United States forces that have been threatened by Iranian activities 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 other purposes, address terrorist threats—like Soleimani and the attacks he was planning and facilitating—emanating from Iraq. This is consistent with the long-standing interpretations given by Presidents pursuant to the 2002 AUMF. For example, during the last administration, United States forces frequently conducted operations in response to attacks by terrorist groups like ISIS, and Iranian backed militias in Iraq under the authority conferred by the 2002 AUMF. Moreover, the Administration’s engagement with Congress on this strike has been 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 would undercuts America’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 not only 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-backed militias 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 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 ban and was actively developing plans to immi-

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 try 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 that 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 would 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, let’s see 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. I and some of my Republican friends over the years have raised issues with Demo-

CONGRESSIONAL RECORD — HOUSE
No more endless wars. Congress has to live up to its constitutional responsibilities. 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 of the House 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 the 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 ELIOΤ 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 any 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 it is the duty of 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 United States Armed Forces are engaged in hostilities against Iran. They have been 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 United States Armed Forces are engaged in hostilities against Iran. They have been 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 United States Armed Forces are engaged in hostilities against Iran. They have been 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 United States Armed Forces are engaged in hostilities against Iran. They have been 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 United States Armed Forces are engaged in hostilities against Iran. They have been fully briefed and informed is the Congress in a position to validate and ratify or disapprove and terminate the action.
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:

Silas. Immediately upon adoption of this resolution, the House shall proceed to the consideration of 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 result of the vote shall be considered as ordered; and the ayes appeared to have it.

Mr. BURGESS. Madam Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

Mr. BURGESS. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 5.

Mrs. HARTZLER changed her vote from “yea” to “nay.” So the previous question was ordered.

The result of the vote was announced as 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.

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.
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 to de novo vote. 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 inform Congress why military action was necessary and appropriate to defend United States, its territories or possessions, or its armed forces into the Middle East.

(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; and

(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.
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 spread fear and chaos. 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, decided to de-escalate. But we would be foolish to think this crisis is over. It could flare 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.

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 require 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, 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’s constitutional powers.

The President has to make the case first, then, 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 float around that Iran is a threat, that Iran was responsible for the attack. We need to be honest about this.

We need to be honest about Soleimani. He was a bad guy. He had mastered 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 deployed to the Middle East; an eviction notice from the Iraqi Government, whose partnership we depend on in the fight against ISIS; Iranian missiles emboldening Iran?

We have lurched from crisis to crisis, each time hoping that the situation won’t spin out of control.

And 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 Party 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 downsing 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 and 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 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. servicemen 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 Soleim
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 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 today because Soleimani is 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 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 to be 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 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 everyone 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 whether or not the President is being a good leader. 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 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 respectable 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 hope my colleagues 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 “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. It 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 ENGLE 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 the 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 in 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 gentleman 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 recognize, 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 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 gentleman has expired.

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

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.

Mr. CHABOT. Madam Speaker, as a 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 the resolution and Foreign Affairs Committee Chair ELIOU 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 price that goes to war.

And that is why the Framers lodged the awesome power to declare and take the nation to war 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 and property.

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 Powers Resolution, Pub. L. 93–8, 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 does not direct otherwise within 90 days of the President's action.”

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 for the United States as a consequence of 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 Iranian 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 capacity; 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 to ensure a 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, the destruction of any one of a country’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 we make, and 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 began 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 human 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 on the constitutional resolution of war and the constitutional responsibility of Congress so directs by concurrent resolution.”

For the 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 Iran 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 securing a deal that provides for inspections 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 unilateralism.

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 warfare attacks 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.

I do not accept the idea that we need 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 in the world if we go to war to prevent terrorists in these other countries from resuming terrorist 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 the mass destruction of 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 owe it to history and to the victims of the 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. 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 2003 campaign, 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 up 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 their 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 the U.N. inspections 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 sensible because leaders 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 killed in Soleimani’s command of the Islamic Revolutionary Guard Corps in Iran. Mr. Engel . . .

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY), a valuable member of the Foreign Affairs Committee.

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, 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 airspace, tissue 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 Qassem 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 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 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. SHERMAN).

Mr. SHERMAN. 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 bombs and thousands maimed. A servicemember from Pennsylvania 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.

We have been winning and losing. 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), the late time-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 violation of international law and makes 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 gentleman 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? 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?

I have got a news flash for everybody: 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 children 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. 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. We 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 may very well be 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 gentleman from Missouri (Mrs. Wagner).

Mrs. WAGNER. Madam Speaker, I rise today in strong opposition to the Democrats’ egregious 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 Subcommittees 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 in which I was 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, Mr. MAST.” 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 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.

Mr. McCaul. 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.

And 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 so frightened 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 Soleimans 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 today, 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, that is nothing more than a press release. 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 an action that we took that was justified, taking out a terrorist.

I would ask my colleagues opposite: How many Americans does a terrorist that 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 1863, they ruled that this is a presidential job and not simply write the executive order. 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 embolden our enemies. It has nothing 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 backs, and we will not yield.

Mr. Engel. Madam Speaker, let me remind my friend that we, too, cherish our officers and their families.

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. Maloney. 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 that which was briefed yesterday by senior officials.

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 putting them in harm’s way.

I am deeply opposed to an unauthorized war with Iran. That is why I support this resolution, which reiterates Congress’ war powers including the sunset provision 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 putting them in harm’s way.

I am opposed to an unauthorized war with Iran. That is why I support this resolution, which reiterates Congress’ war powers including the sunset provision 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 putting them in harm’s way.

I am deeply opposed to an unauthorized war with Iran. That is why I support this resolution, which reiterates Congress’ war powers including the sunset provision by senior officials yesterday.
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.

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 reality, gives comfort to Iran’s leadership. It weakens America and emboldens our enemies.

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 cannot 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 propose 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 Holguin, Cuba. 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 amendment helps prevent 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. 202, which repeals 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 gentleman 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 our 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 the American people. During a time of the behavior I am witnessing now.

Mr. McCaul. Madam Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN. Madam Chair, many of the members 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 Special 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 Special 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). 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 expressly 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 involvement 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 Texas (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 flank 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.

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 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 ourselves 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 air strike 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 Chief of Staff, 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 the respect from 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—members of the Gang of 8?

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 unsuccessful 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.

And why I bring it up is this. That battle of the Bulge, on both sides of the aisle—Mr. SOUTHWICK, 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 Bulge, as it was called by our fighting men, on both sides of the aisle, the House and in the Senate.

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 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, the Joint Chiefs 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 unsuccessful 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.

And today, it is 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 be ended.

We salute Congresswoman SLOTKIN for her leadership in this resolution. She is a former CIA and Department of Defense analyst specializing in Shite 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.

And 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 the Netherlands, 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. And other Members, on both sides of the aisle—Mr. SOUTHWICK, 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 Bulge, as it was called by our fighting men, on both sides of the aisle, the House and in the Senate.

On the days that we were there, when I was listening to the description of it from the veterans who served, it sound ed almost like Washington crossing the Delaware, because it was December, as it was in the United States in the beginning of our 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
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 in-discrimination to action. We must find new ways to speak to each other. 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- out sight’.

Dr. King’s words are just as apropos today. President Trump, in ordering a significant military strike, without seeking authorization, or even con-sultation with Congress, has brought us to the brink of war.

The Constitution of this great coun-try 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 act-ing to uphold our constitutional re-sponsibility. If the President believes military action against Iran is war-ranted, this resolution, and the Con-stitution itself, 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 nu-clear 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 gentle-man from California (Mr. McCLIN- TOCK).

Mr. MCLINTOCK. Mr. Speaker, our Constitution is clear that only Con-gress 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 indi-vidual 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 author-ized the President to take military ac-tion.

I happen to believe the AUMF was a colossal mistake, but this resolution doesn’t correct that mistake. It compoun-ds it by deliberately undermining the position of the United States Gov-ernment to and the Armed Forces that we sent to Iraq at a perilous moment, which makes it not only unconstitu-tional, but disgraceful.
Ms. HOUHAN. 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 government, one whose very survival hinges on the separation of powers and each branch's respect for the others' authority.

At this moment, as a Congress, we 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 1 minute 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 a 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. KAPITUR).

Ms. KAPITUR. 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 reckless 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. 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 ridicing 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 reinstate the War Powers Act in order to restrain this reckless President.

This vote would send a clear message to the President 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, Iran 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 Iran 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.

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 demagogy 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 KIUNNA, 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.

Once again we see 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 against 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 I 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 330-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 matter of fact. In Article I branch—and, 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 had in mind.

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 a practitioner of terrorism. 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 had justice. 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 several actions on the horizon. One 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 dangerous and aggressive forces, killing and maiming innocent civilians throughout the world. We are relieved that the Iranian counterstrike was limited and caused no American or allied casualties.

Iran must never be allowed to acquire a nuclear weapon. I believe this Congress would vote to ensure 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 stop and oppose Iran’s malign ambitions.

Let us not demagogue one another. There can be differences. This resolution is about the laws. This resolution is about the laws. This resolution brings 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 war powers notification, and they would need to proceed with an authorization of military force. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. Spano).

Mr. Spano. Mr. Speaker, I thankRanking 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 servicemen in Iraq and wounded thousands more. He led a brutal attack on peaceful protestors recently in Iran, killing over 1,000 Iranians.

I fully 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 gentlewoman 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 authorization of Congress. We 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 example or what 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 gentleman from California (Ms. ESPROO).

Mr. Speaker, the 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).

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 non-binding 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 (Ms. DAVIES).

Mrs. DAVIES 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 of the President decides to use military action how it will come to that very difficult decision, in deciding what happens next.

I support this resolution because passing it will protect us against going to war with Iran. Unfortunately, I think the answer is no.

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 Iran. Unfortunately, I think the answer is no.

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.

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. CUNSEY).

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 soldiers and their families. 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 its 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 Baghdad subsequently 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 many issues inherent with operating under a 20-plus-year 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, I question our motives or patriotism and we won't question yours.

Mr. Speaker, I yield 1 minute to the gentleman 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 called for.

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 operate under 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).

Mr. Green. 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, allies, and partners, 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 out our forces out of Somalia after we got the black eye on Black Hawk Down, bin Laden said 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 at 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. Why would anyone say they are trying? 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.

In response 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, 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. Worst, 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. Kildeer).

Mr. Kildeer. 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.

The question is 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 gentlemen 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 exercise that authority and be willing to make that decision and follow the Constitution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman 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 its aggression in Iraq, 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, we were not sure.

Constitution to speak to these matters of war and peace.

Mr. MOULTON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. Moulton).

Mr. MOWLETON. Mr. Speaker, the system of checks and balances is broken. Last week's airstrike proves it.

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.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. Gaetz).

Mr. GAETZ. Mr. Speaker, I urge my colleagues to uphold the Constitution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. Kelly).

Mr. KELLY. Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. Moulton).

Mr. MOWLETON. Mr. Speaker, Speaker 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 act 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 2001 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. MOULTON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. Kelly).

Mr. KELLY. 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.
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 away powers 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, the President is vested with the solemn responsibility 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. It was 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 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 battlefields 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 after yesterday’s briefing. I went to Iraq 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 SCIP 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, forlorn President.

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

Mr. McCaul. 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 lay 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. I love this country where 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 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 not sending us 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, I called for making a deal that allows for Iran to thrive and prosper. The President is making the choice to move toward desecration.

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.

If my colleagues were as serious about Article I as they say they are, then this would be a joint resolution, not a House concurrent resolution with the Senate, the way it is. 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 the American dream.

Last May, it was reported that Soleimani met with Iraqi militias in Baghdad and told them to “prepare for proxy war.” Without the 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 reign of terror in the region when the Third Reich swept in, in my father’s war. 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 blood 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 40 years, 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, a premise of Iran’s 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. ENGLE. Mr. Speaker, I yield myself the remainder of my time to close.

Mr. Speaker, 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 Doha Deal” 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 press conference 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 so-called 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 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, which went 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 accruing 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, a maximum-pressue 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 withdrawal 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 noted that attacks by 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 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 Arabian-led government in Yemen terrorism is “devaluing the word to the point where it’s meaningless,” said Anthony Cordesman, an expert on military affairs and that 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, was standing 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.”

“Do 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 implement military capability 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.

From more than a 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. “You could have been more in the deal, of course. But piling in expectations is disingenuous.”

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 facts.

Here is the truth. War with Iran will not benefit us. War cravings, 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 constitution. 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 Doha Deal” by Linda Qiu from January 9, 2020.
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—from a year under Obama to about 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 break out until 2030.

The agreement also prohibits Iran from pursuing nuclear weapons permanently. "Iran reaffirms that under no circumstances will it 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 install new 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 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 and that trend 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 trend 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 budget over the past four fiscal years: $606 billion the 2017 fiscal year (which began before Mr. Trump took office), $751 billion in 2018, $785 billion in 2019 and $789 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 "marginal" rating from the 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 haphazardly more and certainly would be ill-equipped to handle two nearly simultaneously major regional contingencies."

What was said:

"Three months ago, after destroying 100 percent of its terrorist 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 reabsorbed into the Middle East. Biden’s campaign against ISIS has halts 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 entity that "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 a lawful military objective." I know that 100 percent.

What was said:

"The American military has been completely rebuilt under my administration at a cost of $2.5 trillion."

Mr. Milley said that the trigger for the drone strike that killed Soleimani was "clear, unambiguous intelligence indicating a significant campaign 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 thousands of Americans. It's a provocation to finally repeal the 2002 AUMF and Congress's authority as a coequal branch of government and request, as well as justly, authorization for any future military activity against Iran. Additionally, I believe that 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 congressional responsibility for war, President Trump has further risked the safety and security of America, our service members, and our allies by escalating tensions with Iran to a dangerous new level.

The Trump Administration’s military airstrike targeting high-level Iranian officials is just another example of President Trump undermining our national security by acting recklessly to reassert congressional responsibility for war. 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 disastrous war in the Middle East is unacceptable. The American people stand for peace.
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 mounts the loss of Soleimani and those who were 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 aggressiveness development of nuclear weapons. The people of Iran are coalescing behind their government, united in outrage from the American people people—when they hear of yet another conflict in the Middle East.

We should be clear—no one in this body—Democrat or Republican—will mounts the loss of Soleimani and those who were 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 aggressiveness development of nuclear weapons. The people of Iran are coalescing behind their government, united in outrage from the American people people—when they hear of yet another conflict in the Middle East.

We, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?

But we, as a nation, must learn from the mistakes of the past. We cannot allow our country to ignite another war by conducing foreign policies brought us?
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 gentleman from New York (Ms. Velázquez) that the House suspend the rules and pass the bill, as amended.

The result of the vote was announced as above recorded.

So the concurrent resolution was passed.

The Chair appoints the gentlemen from Michigan (Mr. Kildee) to preside over 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 amendments and 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.
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 PFAS 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 the EPA did not even keep 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 my own State of New Jersey that are doing everything they can—adopting 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 600 detections of PFAS drinking water and ground-water 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. The Trump administration is failing 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 and your 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 responsibly 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 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, as well as other Members of this body.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I yield myself such time as I may consume.

Chairman and Ranking 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 find 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 to 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
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 did not cause any contribution. Why not exclude the water districts from Superfund liability if they are just passthroughs? No, we are talking care of the airports, but we are not protecting municipal water systems, co-op water, 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 unless EPA scientifically reviews it and determines it safe. This delays cleaner, greener, and safer chemicals from coming on the market.

Let me repeat this. Existing law bans 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 hung up, probably, in your lifetime.

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 until 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 by this bill, it would come without knowledge of who is responsible, where PFAS contamination is, how serious it is, and without any public comment.

We know the majority understands this is an issue because the rule executed by this bill, it would come without knowledge of who is responsible, where PFAS contamination is, how serious it is, and without any public comment.

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. 533 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.
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. Chair, 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 worked harder than Mr. SCHUMER 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 that 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 two years. It 50 days before Christmas that it would make 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 members who worked on this legislation, including the gentleman from New Hampshire, CHRISS PAPPAS.

The package of 12 bills was approved by the Energy and Commerce Committee in a bipartisan vote in November. It, 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 DEFAZZIO 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 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 sponsor 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 as 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 of 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 medical devices 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 beat 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.

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, nationally and worldwide, 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 firefighting 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—over 98 million people—say 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 10 million people in this country, including once 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 he said to me, I used to eat that fish. I relied on it. 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 toxics kill more people than smoking, hunger, war, natural disaster, AIDS, and malaria together?

Did the Flint water crisis not teach us in the 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 of the whole class of 7866 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 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.

Mr. 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, and I am curious 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 dose, terms 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, increases 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).

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, right?

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 warning labels?

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 current law in this bill have already been phased out by industry under a voluntary EPA partnership more than a decade ago.

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 the case, the 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 EPA review and the CERCLA list are consistent. EPA 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, EPA 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 think 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; Hoids 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 I don’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, 32 years, 30, 35 years ago. Much of us have dealt with Superfund sites, and that is what you are signing up for in this debate.

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 rose 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 north central 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.

Mr. Chair, as a senior member of the House District 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 requiring 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 a cement manufacturing facility in 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 conduct a cancer cluster study of the 5th Ward area of Houston that would be conducted by the Texas Department of State Health Services (DHS).

The DHS analyzed census tracts in Houston to determine the incidences of cancer.

The data analyzed a half-dozen types of adults referencing cancers in the Texas Cancer Registry.

It concluded that “the numbers of esophageal, lung and bronchus and larynx cancers were statistically significantly greater than is expected based on cancer rates in Texas.”

The DSH's work was incomplete—we do need more data.

This report, however, confirmed the fears of creosote contamination 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 DSH's 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 DSH report, and the impact this has on the health and wellbeing of my constituents in Kashmere Gardens, I will be working to address the need to place energy and efforts 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 rusted 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 a constant reminder.

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 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 regulatory tools available.

EPA is continuing to allow new PFAS onto the market, some without any review under its own PFAS issues, such as in its Cranberry Bog well.

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.

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 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 direct 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, first responders 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 in Galveston Bay.

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 Honey Brook Township, Pennsylvania.”

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. Chairman, 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.

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 Ellision 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 Johnstown, Rhode Island, 33 years, and it is still not cleaned up. 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 toutng 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. Mr. Chairman, but 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 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 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, 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 Uggen 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, should be celebrated.

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 than 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 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 and throughout the Commonwealth. Ninety 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 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 along 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 Congresswoman 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 Buoyant 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 116–95 will be offered as an amendment.

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 regulation for perfluoroalkyl and polyfluoroalkyl substances.
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.
Sec. 10. Label for PFAS-free products.
Sec. 11. Guidance on minimizing the use of firefighting 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) and section 306 of the Toxic Substances Control Act (42 U.S.C. 6906).

(b) DEADLINE FOR ADDITIONAL DETERMINATIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall determine whether to designate perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances designated pursuant to section (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)) in any state 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, the release of a perfluoroalkyl or polyfluoroalkyl substance designated as a hazardous substance under section 102(a) of such Act that resulted from the use of a perfluoroalkyl 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 (or a successor regulation);

(B) carried out in accordance with Federal Aviation Administration standards and guidance on the use of such substances;

(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:

"(3) 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 substance designated as a hazardous substance under section 102(a) of such Act that resulted from the use of a perfluoroalkyl 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 (or a successor regulation);

(B) carried out in accordance with Federal Aviation Administration standards and guidance on the use of such substances;

(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. 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.

SEC. 10. LABEL FOR PFAS-FREE PRODUCTS.

SEC. 11. GUIDANCE ON MINIMIZING THE USE OF FIREFIGHTING FOAM AND OTHER RELATED EQUIPMENT CONTAINING ANY PFAS.

SEC. 12. 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)) and section 306 of the Toxic Substances Control Act (42 U.S.C. 6906(a)).

(b) DEADLINE FOR ADDITIONAL DETERMINATIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall determine whether to designate perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances designated pursuant to section (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)) in any state 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, the release of a perfluoroalkyl or polyfluoroalkyl substance designated as a hazardous substance under section 102(a) of such Act that resulted from the use of a perfluoroalkyl 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 (or a successor regulation);

(B) carried out in accordance with Federal Aviation Administration standards and guidance on the use of such substances;

(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:

"(3) 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 designated as a hazardous substance under section 102(a) of such Act that resulted from the use of a perfluoroalkyl 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 (or a successor regulation);

(B) carried out in accordance with Federal Aviation Administration standards and guidance on the use of such substances;

(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. 4. MANUFACTURING AND PROCESSING NOTICES FOR PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

SEC. 5. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.
“(i) perfluorooctanoic acid (commonly referred to as ’PF0’); and
“(ii) perfluoroctane sulfonic acid (commonly referred to as ’PFOS’).

(2) ELIMINATION 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 detect perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method to the list of procedures described in section 1458, as that Administrator determines to be of a quality sufficient to make a determination under paragraph (1)(A).

“(ii) PRIMARY DRINKING WATER REGULATIONS.—

“(1) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances to be regulated under subparagraph (A) or subparagraph (B), 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 perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines are effective at removing all detectable amounts of PFAS.

“(bb) may publish the proposed national primary drinking water regulation described in item (aa) concurrently with the publication of the determination that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is subject to the national primary drinking water regulation.

“(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) 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 final action in the Federal Register, may extend the deadline under item (aa) by not more than 6 months.

“(II) 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 that the Administrator determines are effective at removing all detectable amounts of PFAS in water of the community water system.

“(ii) WAIVER.—The Administrator may waive the requirements of clause (i) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines are effective at removing all detectable amounts of PFAS in water of the community water system.

“(III) 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 for regulation under paragraph (1)(B)(i), in accordance with time of such paragraph; and

“(II) the list of unregulated contaminants to be monitored under section 1454(a)(2)(B)(i), in accordance with such section.

“(IV) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under subparagraph (A) or subparagraph (B), 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 1410(b)(2)) 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 determined by the Administrator, from exposure to perfluoroalkyl and polyfluoroalkyl substances; or

“(F) PRIORITY FOR FUNDING.—In awarding grants under this section, the Administrator shall give priority to community water systems—

“(I) that are located in areas that are determined by the Administrator to be disadvantaged communities; and

“(II) that will provide at least a 10 percent cost share for the cost of implementing an eligible treatment technology; or

“(III) demonstrate the capacity to maintain the eligible treatment technology to be implemented using the grant.

“(G) NO INCREASED BONDING AUTHORITY.—Nothing in this section may be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation that is paid by funds which are provided under this Act and part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) that are—

“(I) for community water systems affected by the presence of perfluoro- and polyfluoroalkyl substances; or

“(II) for drinking water systems affected by the presence of perfluoro- and polyfluoroalkyl substances.

“(H) 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.

“(I) 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 perfluoroalkyl or polyfluoroalkyl substances.

“(2) ELIGIBLE TREATMENT TECHNOLOGY.—The term ’eligible treatment technology’ means a treatment technology included on the list published under section 1459E.

“(3) PFAS.—The term ’PFAS’ means a perfluoroalkyl or polyfluoroalkyl substance that is 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 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.
of the Environmental Protection Agency shall issue a final rule adding as a class all perfluorooctyl and polyfluoroalkyl substances with at least one fully fluorinated carbon atom to the list of endocrine-disrupting chemicals and their byproducts 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 perfluorooctyl and polyfluoroalkyl substances listed pursuant to such final rule.

SEC. 9. PROGRAM FOR 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:

“(c) 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 perfluorooctyl and polyfluoroalkyl substances or aqueous film forming foam are disposed of:

“(A) all incineration is conducted in a manner that eliminates perfluorooctyl and polyfluoroalkyl substances while also minimizing perfluorooctyl 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 perfluorooctyl 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 subsection (3004(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 Program to identify the requirements for a pot, pan, or cooking utensil to meet Safer Choice Program to identify the requirement that any such pot, pan, or cooking utensil shall—

(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—

(1) PROHIBITION ON UNSAFE WASTE INCINERATION OF PFAS.

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. WOODALL. Mr. Chairman, I introduce this amendment in partnership with Mr. DESAULNIER.

As currently drafted, I certainly recognize 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 this bill and expand it to the extent feasible to take away the use of these chemicals and reduce it even further.

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 firefighters 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 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 to salute Representative Dingell, Dingell’s 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 amendment 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 is 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 her question. I also would highlight that under this bill, airports are exempt from the Superfund liability. It does pose a question 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, I think, the path 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 use of. We may disagree in that 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.

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. 335.

Section 2 of H.R. 335 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 product might be added to this list 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, the EPA 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 and the courts have repeatedly and properly evaluated the chemicals and shut 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. 335 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 prejudge 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 cleansups.

Superfund cleansups 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 cleansups 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 could spread from these sites into the environment, into sources of drinking water, and into our agricultural 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 environment 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 saved an essential public health program that works.

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 make such a rule. 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. This 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:

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. 585, 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 there 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 insurance, 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 actions, including cleaning up, investigations, 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 of 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 commonsense 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 PALLONE, 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.

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.

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 requires 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 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.
Mr. JOYCE of Pennsylvania. Madam Chair, I yield 1 1⁄2 minutes to the gentleman from Ohio (Mr. BALDERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio, Mr. BALDERSON.

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 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 a 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 December 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 one 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 ½ minutes to the gentleman from New York (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 ranging from cardiovascular 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.

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 CAT 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 has convened 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. Madam 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 noes appear 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. 3. DISCLOSURE OF INTRODUCTION 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).

(c) DEFINITIONS.—In this section:

(1) INTRODUCTION.—The term “introduction” means the introduction of pollutants into treatment works, as described in subsection 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. BALDERSON. 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 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 PFAS.

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 exposure. 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 CHRISS PAPPAS and HARLEY ROUDA. We introduced this PFAS Transparency Act from 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, 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 very important issue. 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, 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. I also 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 standard and would require significant changes to the program. The Safer Choice standard is the purpose of the EPA program. 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 that harms itself.

I urge my colleagues to ‘‘yes’’ on my amendment, and I yield back the balance of my time.
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, as we have before.

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 amendment offered by the gentleman from Maine (Ms. Pingree).

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 well tested by a water producer 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 for 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. 1926d) and State resources.

(8) Any other information the Administrator considers appropriate.

(c) COORDINATION.—The Administrator shall coordinate with the Secretaries 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 Michigan. It is adjacent to 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 of the task force on this issue. 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 my colleagues both House and Senate. And 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 require companies to clean up 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 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 would 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 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 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 not be tested by the State, 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’s 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’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. The amendment was agreed to.

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 for 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.

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.

We know threats to our environment and public health do not discriminate, and the Representative concludes that she knows that, that this 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. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR (Mr. BRINDISI). The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, while I will not oppose this amendment, this section, in particular, is objectionable. But getting 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—by setting 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—by setting 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—by setting Agency decisions on their website sounds like a reasonable proposal.
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 $225,000,000 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 grants under subsection (a) to pay for capital costs associated with the implementation of eligible treatment technologies for perfluoroalkyl and polyfluoroalkyl substances that were purchased up to 5 years ago in order 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 PETTER KING and TOM SUOZZI, for co-leading this amendment with me, and our other bipartisan cosponsors, Representatives FITZPATRICK, GRIJALVA, CRESNERS, and others, 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, my amendment would expand the PFAS Infrastructure Grant Program by 25%. It designates 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 PFAS and PFOA.

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 to help these communities.

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 PETTER KING and TOM SUOZZI, for co-leading this amendment with me, and our other bipartisan cosponsors, Representatives FITZPATRICK, GRIJALVA, CRESNERS, and others, 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 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 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.

Mr. BROWN of Maryland. Mr. Chair, I yield myself as much time as I may require.

I do not intend to oppose this amendment, but our grant and loan programs are designed for communities that can't afford the expense. What my colleagues are 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 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 (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:

Mr. Chair, I yield myself as much time as I may require.

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 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
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. I 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 good.

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 bi-partisan 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, as hazardous, which I don’t believe they are.

We have never, in the history of this Congress, 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.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. PAPPAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.
(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 CATEGORY.—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.

(3) NOTICE.—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.

(4) 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 $100,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

(5) MEASURABLE.—The term “measurable” means, with respect to a chemical substance or class 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. 1344);

(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 defined in section 130 of the Federal Water Pollution Control Act (33 U.S.C. 1332).

(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. 1337).

(7) PRIORITY INDUSTRY CATEGORY.—The term “priority industry category” means the following point source categories:

(A) Organic chemicals, plastics, and synthetic rubber manufacturing, as identified in part 410 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 303(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1323).

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 PFAS as a threat in their own communities and raised awareness and collected our own data 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 spoken up. It is about time we implement policies that directly 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 the pollution that 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 bipartisan 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 people and polyfluorinated compounds listed on EPA’s PFAS master list, an uninformalized policy could carry massive unintended consequences on the liability and regulatory forms. As I read it, this amendment continues an analyst 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 detection 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 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. 11 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. (a) LISTING.—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) inserting after paragraph (1) the following new paragraph:

“(2) ASSISTANCE TO TERRITORIES.—Of the amounts made available under this section, the Administrator may use 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 above 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 well as the 50 States, but not 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 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 needsthey 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, I reserve the balance of my time.

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 Acting CHAIR. The gentleman from New York (Mr. BRINDISI) and a Member opposed each will control 5 minutes.

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)(1) 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, in accordance with section 112 of the Clean Air Act (42 U.S.C. 7412), any final rule determining whether any substance, 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 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)).

The Acting CHAIR. Pursuant to House Resolution 779, the gentlewoman from New York, as well as Congresswoman Debbie Dingell, for introducing 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 my time back to the Chair.

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 I 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.
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. GALLAGER 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 hazardous air pollutants under the Clean Air Act. While we take action on the chemicals of greatest concern, we will 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 DRINGELL and Chairman PALLONI, 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.

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York (Mr. BRINDISI).

Mr. BRINDISI. Mr. Chair, I rise to offer my amendment.

AMENDMENT NO. 16 OFFERED BY MR. BRINDISI

The amendment is a commonsense compromise that strikes that balance. I, again, thank Congresswoman DRINGELL and Chairman PALLONI, 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.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BRINDISI. Mr. Chair, I yield my amendment.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.
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.

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 my colleague Mr. 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. Therefore, I am offering an amendment to having EPA report annually on the effectiveness of the program.

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 that the 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 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 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.

AMENDMENT NO. 18 OFFERED BY MRS. AXNE

The Acting CHAIR. Pursuant to House Resolution 779, the gentleman from Iowa (Mrs. AXNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman 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 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 gentleman from Iowa (Mrs. AXNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

MODIFICATION TO AMENDMENT TO RULES COMMITTEE PRINT 116-45

OFFERED BY MRS. AXNE OF IOWA

The amendment is modified to read as follows:

Mr. Shphys, Mr. Chairman, I rise in opposition to the amendment.
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 operate 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.

Additional resources to the 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 unifying 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. 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 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.

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 above 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 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 weeks 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. GOMHERT) is recognized for 34 minutes as the designee of the minority leader.

Mr. GOMHERT. 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 can be called the brain behind the IRGC, and it thought I 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 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. And what I mean by that is when we were going to make it, that the mistake 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 and a 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 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 American treasure than 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, he had opened the door for him to be overtaken. 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 the Kurds. 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 Iran's 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 $20,000 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 own 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 outset 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 suicide attacks. 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 more.

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 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.

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 baffles 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 situation 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 despotism to be despot. 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.

And then we have 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?

They tell us what they are going to do, yet it is not enough for some of my
Mr. PERRY. 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 wasn’t clear it was not in our vital interests.

Mr. PERRY. Will the gentleman yield?

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. It was 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.

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, was released from 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 Benghaz. If he doesn’t decide unilaterally whether NATO wanted it or not, he decided for America without any consensus 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 and Iraq, we 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 in 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 RESOLUTION 6, COMMITTEE ON HOUSE ADMINISTRATION, Washington, DC, January 9, 2020.

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

DEAR MADAM SPEAKER: Pursuant to section 306(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 LOYTOHEN, Chairperson.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS—H. RES. 6

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1–March 31, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>April 1–June 30, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>July 1–September 30, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>October 1–December 31, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

---

SENATE BILL REFERRED

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. 276. An ACT to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

---

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS—H. RES. 6

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1–March 31, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>April 1–June 30, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>July 1–September 30, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>October 1–December 31, 2019</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

---

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. 276. 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. 1242. 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. 2389. 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...
By Mr. RUHLS:  
H. R. 5565. A bill to amend the Consumer Product Safety Act by repealing certain provisions relating to enjoining disclosure, increasing the minimum baseline civil penalties for violations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUSH:  
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 14 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 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. HICK, Mr. RUSH, Mr. CHRISTODOULOU, Mr. PETERS, Mr. Himes, Mr. KILMER, Ms. KAPTUR, Mr. OLSON, Mr. KATKO, Mr. MARSHALL, Mr. AMODEI, Mrs. RADERWAGEN, Mr. WATERS, Mrs. BEatty, Ms. STEFANIK, and Mr. COLLE):  
H. R. 5570. A bill to direct the Secretary of Veterans Affairs to conduct a review of the deaths of certain veterans died by suicide, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. MEADOWS (for himself, Mr. BUDDE, Mr. GOMBERG, 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. MUESELLER):  
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. NEUMANN):  
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. RUHLS:  
H. R. 5574. A bill to amend the Children’s Privacy Protection Act of 1998; to the Committee on Energy and Commerce.

By Mr. BUDDE (for himself, Mr. ZELDIN, and Mr. KUSTOFF of Tennessee):  
H. Res. 762. A resolution recommending to the several States, and with the Indian Tribes, the design and adoption of a curriculum about the history of anti-Semitism and the Holocaust, and the vital and historic importance 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. 786. 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. 789. A resolution condemning and censuring Nancy D’Alessandro Pelosi, Representative of California’s 12th Congressional District, for the Committee on Ethics.

By Mr. UPON (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 Georgia, Mr. STUART, 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. HUDSON 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 bills and resolutions 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 I, Section 8.

By Mr. SMITH of Missouri, and Mr. MOONEY of West Virginia:  
H. R. 5567. Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.

By Mr. CURTIS (for himself, Mr. BISHOP of Georgia, Mr. STUART, and Mr. MCADAMS):  
H. R. 5568. Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.

By Mr. DAVIDSON of Ohio:  
H. R. 5569. Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.

By Mr. BISS:  
H. R. 5570. Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.
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 Ms. BROWNLEY of California:

H.R. 5573. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, 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 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. 1162: Mr. GARCÍA DE LA PEÑA.
H.R. 1173: Mr. CONWAY, Mr. CARSON of Texas, Mr. BASS, Mr. CLINTON, and Mr. THORN.
H.R. 1228: Ms. TUTTLE.
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. KAPUTR, Mr. JOHNSON of Georgia, Mr. COX of California, Ms. ESHOO, Mr. MEKKI, Ms. CARVALHO, and Ms. PRESSLEY.
H.R. 1409: Mr. MCGOVERN.
H.R. 1450: Mr. GARCÍA of Illinois.
H.R. 1511: Mr. MEKKI.
H.R. 1635: Mr. BUDDE.
H.R. 1659: Ms. BARRAGÁN.
H.R. 1711: Mr. PANIATTA and Mr. COX of California.
H.R. 1737: Ms. JAYAPAL.
H.R. 1923: Mr. KANNA and Mr. JEFFREYS.
H.R. 1987: Ms. SCHAKOWSKY.
H.R. 2219: Mr. MCGUIRE.
H.R. 2214: Ms. KAPUT.
H.R. 2219: Mr. BRYER.
H.R. 2271: Ms. CRAIG, Mr. UPTON, and Mr. GUTERIE.
H.R. 2293: Mr. MCGOVERN.
H.R. 2558: Mr. LEVIN of Michigan, Ms. BONAMICI, Mr. LEVIN of California, Ms. HAAALAND, Ms. DE LAURO, Mr. YARMUTH, Mr. NEGUZE, Mr. KILMER, Ms. LAWRENCE, Mr. NADLER, Mr. MASSIE, Mr. AMASH, Mr. BARRAGÁN, Ms. JOHNSON of Texas, Mr. BREA, Mr. CICILLINE, Mr. CISNEROS, Ms. OMAR, Ms. KELLY of Illinois, Mrs. DEMINGS, and Mr. ENGEL.
H.R. 2261: Ms. BLUNT ROCHSTER.
H.R. 2294: Mr. NOBISCO, Ms. NAPOLITANO, Mr. VARIVA, Mr. GONZALEZ of Texas, Mr. CUELLAR, and Mr. JEFFREYS.
H.R. 2777: Ms. CRAIG, Ms. NORTON, and Ms. ESCOBAR.
H.R. 2812: Ms. FINKENAUER and Mr. STAUBER.
H.R. 2830: Mr. GAERTZ, Mr. BISHOP of Georgia, and Mr. NEGUZE.
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. DELBIENE.
H.R. 3104: Ms. FOXX of North Carolina and Ms. KENDRA S. HORN of Oklahoma.
H.R. 3219: Mr. COX of California, Mr. JEFFREYS, Mr. DEUTCH, Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. CROW, and Mr. GARAMENDI.
H.R. 3355: Mrs. WATSON COLEMAN.
H.R. 3361: Mr. BISHOP.
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. 3779: Mr. KEATING.
H.R. 3853: 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. 4138: Mr. GOMEZ.
H.R. 4142: Mr. DESALVANT,
H.R. 4189: Mr. WALTZ, Mr. BUDD, Mrs. HARRINGTON, and Mrs. DEMINGS.
H.R. 4194: Ms. FINKENAUER.
H.R. 4228: Ms. FINKENAUER and Ms. LEE of California.
H.R. 4308: Ms. JACKSON LEE, Mr. CROW, Mr. SMITH of Nebraska, Mr. SARBANES, Mr. CARBAJAL, Mr. STUART, Mr. SCALISE, Mr. BLUMENAUER, Mr. COOPER, Mr. PETERS, Mr. KELLY of Mississippi, Mr. LOBSACK, Mr. GOODEN, Ms. BLUNT ROCHSTER, Mr. SHERR, Ms. KELLY of Illinois, Mr. ROONEY of Florida, Ms. MOORE, Mr. AUSTIN SCOTT of Georgia, Mr. BUSH, Ms. VELÁZQUEZ, Mr. CLARK of New York, Mr. CLINE, Mr. JOHNSTON of Georgia, Mr. KEATING, Mr. LAWSON of Florida, Mrs. BRATTT, Mr. DAVIDSON of Ohio, Mr. Payne, Mr. SMITH of Missouri, Mr. NUNES, Mr. WALKER, Mr. RATCLIFFE, Mr. ENGEL, and Mr. COURTNEY.
H.R. 4398: Mr. GRIJALVA.
H.R. 4394: 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. 4568: Mr. JOHNSON of South Dakota.
H.R. 4761: Mr. CLINE.
H.R. 4706: Mr. McNERNY and Ms. LEE of California.
H.R. 4709: Mr. McNERNY and Ms. LEE of California.
H.R. 4807: Mr. ZELDIN.
H.R. 4843: Mr. DESALVANT.
H.R. 4866: Mr. LUKAN.
H.R. 4907: Mr. PHILLIPS, Mr. ROUDA, and Mr. BRENDISI.
H.R. 4932: Mr. CASE.
H.R. 4966: Ms. DAVIES of Kansas.
H.R. 4968: Mr. MCGOVERN.
H.R. 5056: Mr. KRISSHANAMOORTHI.
H.R. 5117: Mr. GOSAR, Mr. BRENDISI, and Mr. KATTE.
H.R. 5138: Mr. DEAN.
H.R. 5180: 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. 5245: Ms. MATSUI.
H.R. 5246: Mr. DESALVANT and Mr. BRYER.
H.R. 5259: Mr. ARRINGTON.
H.R. 5260: Mr. NEGUZE.
H.R. 5297: Mrs. MILLER.
H.R. 5309: Mr. KHANNA, Ms. ESHOO, Ms. SPEIES, Ms. KELLY of Illinois, Mr. HASTINGS, Mrs. DEMINGS, Mr. ABRAHAM, Ms. SWEWELL of Alabama, and Mr. HIGGINS of Louisiana.
H.R. 5310: Mr. FALZONE and 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. ARBONN\nH.R. 5421: Mr. BALDERSON, Mr. YOHIO, and Mr. MOONEY of West Virginia.
H.R. 5421: Mr. MENG and Ms. ESCHOO.
H.R. 5428: Mr. GOSAR.
H.R. 5445: Mr. MCCINTOCK and Mr. GOSAR.
H.R. 5450: Mr. COHEN, Ms. MENG, and Mr. PREMLMUTTER.
H.R. 5465: Mr. MCGOVERN.
H.R. 5490: Mr. NORMAN and Mr. FLORES.
H.R. 5492: Mr. BLUMENAUER.
H.R. 5543: Mrs. LAWRENCE, Ms. ESCOBAR, Mr. NEGUZE, Mr. KILMER, Mr. NADLER, Mr. YARMUTH, Ms. JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, Ms. BARRAGÁN, and Mr. SABONI.
H.R. 5546: Mr. SENSENBRENNER and Ms. BASS.
H.R. 5563: Mr. REED, Mr. ROYCE.
H.R. 5573: Mr. LOPEZ of Arizona, Mr. BERTEN, Mr. GENETTI, Mr. ROYCE.
H.R. 5566: Mr. COHEN, Mr. ROYCE.
H.R. 5573: Mr. ROYCE.
H.R. 5607: Mr. ROYCE.

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. Loeb, 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. McGovern, Mrs. Brat, Mr. Sherman, Mr. Courtney, Ms. Dean, and Ms. Clark of Massachusetts.

H. Res. 17: Mr. Sherman, Mrs. Fletcher, Mr. Chisholm, and Mr. Thompson of Pennsylvania.

H. Res. 50: Mr. Yoho, Mr. Riggs, 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. Moore 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. Moore of West Virginia, Mr. Babin, and Mr. Tipton.
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 senior Senator from California, the ranking member of the Judiciary Committee. She wasn’t alone.

“The time has passed. 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 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...
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-six 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 were glad 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 the 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 clear 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 could 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 protracted 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 Commander 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—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 nominations, which the clerk will report.

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.

RECORDER OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, yesterday the Senate received a classified 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. And 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 met the briefing that they would 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, and others—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 the 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 de-escalating. 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 a "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 has had a few weeks ago was, in part, testing 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, which only weeks ago was preventing us from pursuing 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, to impeach, 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 the President did not do 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 perhaps a few weeks later. So 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 case for impeachment. 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. 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 go away because 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.

Many 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?

Eventually, even the most 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, 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.

Let’s say to my Republican colleagues, this strategy of voting on witnesses later lives on borrowed time. To repeat, once the trial begins, 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 cover-up. 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 leader.

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 have to vote on whether or not to receive those articles. I also think it is safe to say that the President should be held accountable for his actions in this case.

We have had a debate on the floor in recent days about the War Powers Resolution and how it applies to our actions.Congressional Record — Senate

January 9, 2020

 earnings, 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 a "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 has had a few weeks ago was, in part, testing 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, which only weeks ago was preventing us from pursuing 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, to impeach, 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 the President did not do 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 perhaps a few weeks later. So 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 case for impeachment. 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. 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 go away because 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.

Many 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?

Eventually, even the most 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, 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.

Let’s say to my Republican colleagues, this strategy of voting on witnesses later lives on borrowed time. To repeat, once the trial begins, 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 cover-up. 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 leader.

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 have to vote on whether or not to receive those articles. I also think it is safe to say that the President should be held accountable for his actions in this case.

We have had a debate on the floor in recent days about the War Powers Resolution and how it applies to our actions.
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. And so I have some reservations about the arguments, ask questions, from that. There 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 is how we intend to treat this. But we want to make sure it is a fair process—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 190 votes in the Senate—Republican and Democrat—supporting that particular process, 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. 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 an 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 a somehow other other Republican is 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. 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 unpopular 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 for no apparent reason other than, I would argue, they see political need for 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 President 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 export 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.

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?

Robocalls 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 individuals 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 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 robocallers, 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 are 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 group of 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 one-ring scams, where international scammers try to get individuals to return the call in order to 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. It is an important step 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 Mark Warner for partnering with me on this legislation. The Washington Post praised the partnership with me on this legislation. ‘The Washington Post praised the...

No one-wire 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 proud of the strong bipartisan support it received in both Houses of Congress and the forward momentum 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 and PFAS. When meeting with Mr. Ray, I stressed the need to prioritize protections that provide safe and clean drinking 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 may not fully appreciate 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’ requests for information. Even after a series of the Senate’s efforts to meet our constitutional responsibilities, Mr. Ray expressed a commitment to transparency, his inability to ensure compliance with the committee’s requests, and that he would provide this information 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 agency for overseeing 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 final rules to ensure agencies conduct appropriate cost-benefit analyses.

President Trump, OIRA has conducted between 200 and 400 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 driving our nation’s 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 counsel 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 graduated from 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.

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 Senate, Rules and Orders, hereby move to bring to a close debate on the nomination of Paul J. Ray, of Tennessee, to be
The yeas and nays are mandatory under the rule.

The yeas and nays are included in the Journal.

Mr. DURBIN. I announce that the Senate has instructed the clerks to call the roll.

The clerk will call the roll.

Mr. DURBIN. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MAFFEI), the Senator from Missouri (Mr. HAGERTY), the Senator from South Carolina (Mr. HAYES), the Senator from Virginia (Mr. HARRIS), and the Senator from West Virginia (Mr. JOHNSON).

The yeas and nays are recorded.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. Mr. President, it has been dreamt of and spoken of in American history where the Senate has been a copernicus who was then deposed by the House and now sits in judgment on the impeachment trial. After the arguments, the House votes by a narrow margin to send the Articles of Impeachment to the Senate. The question is, Is it the sense of the Senate that the Articles of Impeachment were voted on.

The question is, Is it the sense of the Senate that the articles of impeachment were voted on. 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 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 said she hasn’t 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’ve only spent 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 reinitialize 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, vote, 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 that 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.

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 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.
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.

We all know that 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 attempt to characterize it; this is a matter of letting the parties, or 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, 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, just more of the same: 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 there 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 have 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 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 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 quite 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 the 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—this 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 parts of the Medicare Part D prescription drug 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. 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 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 these 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 the constitutional role. They launched their inquiry. They did their investigation. They held their bipartisan 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." 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 is 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 referred 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 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. She was represented 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 much 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 “[i]f [the witnesses] are consistent, they’ll say the same that’s in here,” referring to their previous testimony already before the grand jury. Ms. Lewinsky said, “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 Duffy—all people who have 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 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 he was the window 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 national security 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 was true, frankly, is embarassing the President and the military. 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 leading 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, America were attacked, would we ever 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 advisors.

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 well, 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 leaders, I will skip over 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, if and only if it can be shown that he or she has sent a loud and clear signal that he or she is about 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 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-throttle tit-for-tat response 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 and willing to engage in 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 even the past—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 reality, is not very likely to occur, 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 our diplomats and civilians, 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 not outlined a strategy or, in the case of the President, he or she has sent a loud and clear signal that he or she is about to defend this country’s interests.

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 terrorist 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, with the aim of opening 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 try to kill Americans—through the terror of Iran, or otherwise—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.

I believe it would 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, and the troops 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 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 who were defending 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, is ridiculous. The sanctum sanctorum is portrayed 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 should be talked 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 on or disagreement on 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 issues they want to.

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 someone 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 somebody who wasn’t in the nineties that gave things in 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 that time, there was 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 disagree, 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 particular this 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 looks a lot 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. And 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.

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 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 improves 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. 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 change with the 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 8.14 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 more products 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 for sale on an e-commerce site don’t 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 large shipments over that level.

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. I was a ranking member of the Small Business and Entrepreneurship Committee, this was a welcome change to ensure small businesses aren’t bogged down by unnecessary red tape.

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 resolution of 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 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 includes a chapter on anti-corruption 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 other entities.

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 couldn’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 the 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 underlying 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 regulator would 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 alternative 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 develop 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 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 our laws to be the playing field. We also want to help other countries strengthen their laws.

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 fact-finding 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 concludes, the trigger 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, the committee must provide Congress with a written explanation and justification of its decision. 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 and labor monitoring and enforcement to ensure that the goals of the USMCA’s environmental 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 3 new environment-focused attaches 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 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 implement existing agreements, and are intended to implement its environmental obligations to help ensure Mexico is living up to its commitments.

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.

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 was necessary and critical to protect American lives.

I yield the floor.
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 that Soleimani killed an American civilian—killing Kataib Hezbollah carried out a deadly attack. September 14, Iran sponsored an attack in international waters. September 14, Iran shot down a U.S. un- manned aerial vehicle in international waters. September 14, Iran launched a ballistic missile attack against bases 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—one 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 rejected 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, a terrorist 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. On January 2, the President ordered the strike, and 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 Revo- lution in Iran in 1979, the ruling mullahs held 52 American diplomats hostage for 44 days, releasing them only after they agreed to pay the Iranian govern- ment. 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, Leb- anon, 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 perpetrators 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. We 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 sweet deal known as the Joint Comprehensive Plan of Action, or JCPOA, which paved a patient pathway to a nuclear deal for Iran, lifted all meaningful sanctions against the re- gime, 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 that the only way to get the regime to negotiate is to show them that diplomacy remains open if Iran changes its behavior and complies with interna- tional 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 that JCPOA never could.

We will not repeat the mistakes of past ad- ministrations, and we will not renegotiate the JCPOA itself. The Iranian wave of de- stroyed in the region in the few years is proof that Iran’s nuclear aspirations cannot be separated from the overall secu- rity 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 the point to re-establish diplomatic and commercial relationships with Iran.

And we’re prepared to admit Iran to have advanced technology. If Iran makes this funda- mental change, we’ll work with the international community to support the modernization and re-integration 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 Regu- latory Affairs. I will do that, but first I want to take a few minutes to set the record straight on what we have 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 some- thing 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 accord, the climate change agreement. Emission 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, China was on the outside looking in. This administration walked away from that.

The greatest source of carbon emis- sions 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 we need in the next half. This administration walked away from both.

The last administration argued that rather than always being threatening war with Iran and doing these proxy wars with Iran, we should do what Tom Friedman used to say: "TOM, the main on is the main thing. A friend used to with Iran, maybe what we should focus with Iran and doing these proxy wars rather than always be threatening war 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. This is 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. And in the past 2 years, after the 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 do that. I didn’t have to be that way. I didn’t have to be that way.

I have learned, if nominees are not forthcoming and are not responsive to the oversight questions we ask before 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 emergency regulatory 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 some thing 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 insisted on was a 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.

As the conflict—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 them that are relevant to the jobs they are doing to.

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 Demo-crats and Republicans have. A lot of times the answers 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, for it doesn’t get any better. I don’t care whether you happen to be a Democrat or a Republi-can; 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 emergency regulatory track record over the last 3 years—at least on this issue.

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.

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
January 9, 2020

CONGRESSIONAL RECORD — SENATE

S113

NOMINATION OF PAUL J. RAY

Mr. 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.

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 destabilized Iran and 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 to fund the terrorism that has swept through 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 do we ever put this 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 the Iranian terrorist and a 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 community did work for 8 months as there was escalating violence. We know that violence was orchestrated by none other than

Mrs. BLACKBURN. Mr. President, let me begin by saying that Paul Ray is a

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? There is a reason we have

privileges to avoid providing Congress

Counsel have misapplied overly broad

withhold or redact particular content that. While it might be appropriate to defer to counsel 19 times in his pre-

nomination. As best as I can tell, they didn’t even try.

Unfortunately, throughout the vetting process, Mr. Ray apparently refused 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 think 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 pre-

hearing 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. If his appropriateness 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? Is there a reason we have
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 Iran deterrent notice, 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 that 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, I quote the president, 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 and how he reacted, 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, 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 military 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 assassinated, or perhaps I should say 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 crucial bases in Iraq and to the fuel 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, defying impunity and even taking selfies with proxy Iranian activists, to provide a 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 support.

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 base and threatening 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, in raw human talent. 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. Mr. Merkley, 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. This is no greater than the loss of her career. We all are on Team Merkley. We are very sad to see her go, but we do feel extraordinarily fortunate that she has gone far—just over to Senator Jones’s office on the other side of the Hart building. So Oregon’s loss has been Nevada’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 that was not a company of the kind that 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 in both the House and at the Foreign Relations Committee, rules 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.

It meant it when I say she is passionate. A quick conversation about fintech can last for hours, as she even informed my staff 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 our financial banks 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 2018, 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 any 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 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 go this far, 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. You are such a valued 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
Blackburn
Blumenthal
Brown
Cantwell
Cardin
Casey
Cochrane
Cortez Masto
Duckworth
Durbin
Feinstein
Gillibrand
Harris
Hassan
Hirono
Jones
Kaine
Kaine
Klobuchar
Manchin
Markley
Menendez
Merkley
Murray
Ney
Portman
Paul
Perdue
Perdue
Sanders
Warren

The nomination was confirmed.

The PRESIDING OFFICER. 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 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 seek 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 the debate on the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.


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.

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 attacks from 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 America. 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 the debate on the importance of our Country. 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 months, maybe, at the most—in the United States Senate while she filed the vacancy that was created by the death of her husband, the longtime United States Senator, Quentin Burdick. During those 3 months, Jocelyn worked in the Senate and 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 need of the United States. Jocelyn was nationally recognized for her philanthropy on behalf of the Gamma Phi Beta sorority.

Throughout her life, Jocelyn embraced her place in public life with tremendous grace, dignity, and class. She demonstrated by example how people will remain alive in the hearts of all of those who had the privilege to know her.

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 it 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 was 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, Mill Creek, Zanesville, and 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 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—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 Congress, it was mirror image 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 ole, same ole. 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 Galion. They would 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, Representative Delaney 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—there was a provision. 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. Corporations like 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.

In years and years here, I have never voted for a trade agreement. I have always opposed NAFTA and CAPTA 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. 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 revamp. 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 trade deal and brought it 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, 14 months after 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 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 essentially just between Canada, Mexico, and the United States. It is a settled issue between Canada and Mexico, whether they sell pirated copies, which has been an issue, or 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 exported 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 their inventions are exported to Canada and 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 with 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 not good enough. It was that they were protecting their own farmers.

That helps us, and it helps us in agriculture. There are lots of areas in the agreement that help us in agriculture. There are areas in which we 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 which we 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.

I yield the floor.

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 who is helping other people.

There is a town called Talkeetna, and if you 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 soul for the community, 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.

I could go on 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, Moores’ son, 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 CALL OF THE CHAIR

Mr. SULLIVAN. 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. Atwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2023, and Aman- da 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 Atwood, 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 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. Atwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2023, and Aman- da 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 Atwood, Laihow, and Kemper, en bloc? The nominations were confirmed en bloc.

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 new workforce development center. 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 has been a driving force behind 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.

Carter 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 successfully partnered to include $15 million in the budget, calling “Hoptown WINS,” as nearly $15 million in capital investment 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.

During his time with the chamber, 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.

Carter 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 Pennyrile Parkway as Interstate 169. When President Trump signed our provision into law, he helped connect Fort Campbell in Christian County to the 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. Work was long due. By the end of Carter’s tenure, the Fort Campbell installation was able to work alongside the region to not only make the new highway a reality but also the reality of a better 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 has been a driving force behind 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.

Carter 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 Pennyrile Parkway as Interstate 169. When President Trump signed our provision into law, he helped connect Fort Campbell in Christian County to the 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. Work was long due. By the end of Carter’s tenure, the Fort Campbell installation was able to work alongside the region to not only make the new highway a reality but also the reality of a better 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.
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 to expand or relocate to the region. One of the advantages of accepting the position, he said, was that it would allow him to continue working to bring new opportunities to Hopkinsville.

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 for believing in 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 thanks and best wishes as he steps into a new role.

Mr. Hendricks of 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:

HENDRICKS SHARES WHY HE PURSUED POSITION WITH EDC

By Zirconia Alleyne

Hopkinsville Mayor Carter Hendricks announced on Monday that he has agreed 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 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 announcement 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 was notified on Monday that he was ultimately named to the position.

“Thank you to New Era archives. In May 2014, the Cadiz-Hopkinsville News broke the news that Hendricks had just wrapped his meeting with staff telling them he was a candidate and would accept the position if offered. He said he was notified on Monday that he was ultimately named to the position.”

steps to appointing a new mayor

According to KRS 81A.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 will serve until the successor is elected to the regular position, after 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, Idalina 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 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’re like my family.”

Carter, who served as the executive director of the Christian County Chamber of Commerce from 2010 to 2013, said has always been interested in economic development and thought about pursuing the position with the regional EDC in 2017 when Lindsey resigned.

“There’s been a couple other times I was interested in that position, but the timing never felt right,” Hendricks said. “The reason I decided to go 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 March 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,” he said. “I’m still going to have to learn more about Todd County and Trigg County, but I’m eager to do that.”

“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 two things 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 can be 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, the Hopkinside Rail Trail greenway system, two neighborhood parks, the completion of the visitor’s center on East Ninth Street and more, according to New Era archives.

“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 I think it’s important for us to position ourself 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 seeking an elected position, and you’re 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. I 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. We can recruit new business and industries that will help this community grow and provide more opportunities for families.”
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 days of the year reflecting on their unique history. They are looking back on their unique history. 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, let us look forward to many more prosperous years to come.

ARRMS 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 in 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)(l) of the Arms Export Control Act as amended, we are forwarding herewith Transmittal No. 20–06 concerning the Air Force’s proposed sale(s) of the F–35B STOVL aircraft to the Government of Singapore.

(i) Prospective Purchaser: Government of Singapore.
(ii) Proposed to be Sold: See Attached Annex.
(iii) Total $2.750 billion.
(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 Defense Articles and Services Proposed to be Sold: See Attached Annex.

As defined in Section 47(6) of the Arms Export Control Act.

PSe bestion 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/Navigation and Identification (C4I/CNI) system; Autonomic Logistics Information System (ALIS); F–35 Training System; Weapons Employment Capabilities; F–35 unique infrared flares; re-entry/return support units (aircraft, personnel, 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 ally and partner in the Asia Pacific region.

This proposed sale of F–35s will augment Singapore’s operational aircraft inventory and enhance its airborne air-to-ground self-defense capability, adding to an effective deterrence to defend its borders and contribute to coalition operations with other allies and partners. 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.

TRANSMETAL NO. 29-06
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 sensor central processor, mission system/electronic warfare suite, a multiple sensor suite, technical data/documentation, and associated software. Sensitivity of the F-35B is further extended 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 maneuverability and supportability throughout the worldwide base of F-35 users.

   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 at long distance, delivering high Doppler and range-doppler resolution, and being mechanically scanned array radars. It also contains a synthetic aperture radar (SAR), which creates high-resolution ground maps and provides capacity to transform the data to the pilot’s weapon system for use in close air support. The AESA provides 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 external 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 and air-to-ground threat awareness, day/night vision enhancements, a fire control capability, and precision tracking of wingmen/friendly aircraft. The EODAS uses data directly to the pilot’s helmet as well as the mission system.

   e. The Electronic Warfare (EW) system is a sophisticated multi-functional system that provides radar warning and electronic support measures (ESM) along with a fully integrated countermeasures (CM) system. The EW system enhances the pilot’s situational awareness, targeting support and self-defense through the search, intercept, location, and identification of inbound threats and to automatically counter TR and RF threats.

f. The Command, Control, Communications, Computers and Intelligence/Communications, Navigation, and Identification (C4I/NI) system provides the pilot with unmatched connectivity to friendly forces, and the battlefield. It is an integrated subsystem designed to provide a broadband spectrum of secure, anti-jam voice and data communications, navigation and guidance, air traffic management, aeronautical information services, and electronic warfare.

   g. The aircraft C4I/NI 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 other aircraft using widely distributed J-series message protocols.

   h. The Electro-Optical Distributed Aper-
TRIBUTE TO TIM MCALLISTER

Mr. DAINESE. Mr. President, this week I 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 and leadership will continue 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 the 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 high 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. 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 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.

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 President Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(Message 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. 3881. 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 19–11325) 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” (FED 1903–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 Standards for General Service Incandescent Lamps” (FED 1904–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 2020 Department of Education Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.


EC–3707. A communication from the Chair of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–185, “Alcoholic Beverage Control Board Board Members, Amendments, and Hourly and Percentage Rate Amendment Act of 2019”; 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 for research and development 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. 2368, a bill to establish a program for research and development, and demonstration of solar energy technologies, and for other purposes (Rept. No. 116–263).

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):

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 fifth 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 and leadership of the United States in international standards-setting bodies that set standards for equipment, systems, software, and virtually-defined networks that support fifth and future generations mobile telecommunications systems and infrastructure, 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; to the Committee on Small Business and Entrepreneurship.

H.R. 4500. An act to direct the Assistant Secretary for Communications and Information to take certain actions 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 fifth and future generations mobile telecommunications systems and infrastructure, and for other purposes; to the Committee on Foreign Relations.

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.

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 strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

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 strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.
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. CARTER, 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. KAIN, Mr. BROWN, Mr. WHITE, 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. SASSER, 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. MARKET, 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. 3178. A bill to amend the Internal Revenue Code of 1986 to expand the new markets tax credit to encourage American community health centers to provide care to individuals in underserved areas, 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 appointment of Denise O’Leary 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. 67. A joint resolution providing for the appointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution; considered and passed.

By Mr. MCCONNELL (for himself, Mr. BOOZMAN, and Mr. LEAHY):

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, Mr. MURKOWSKI, Mr. CRAMER, Mr. GRAHAM, Mr. BARRASSO, Mr. REED, Mr. CASSIDY, Mr. HYDE-SMITH, Mr. BLUNT, Mr. TOomey, Mr. WICKER, Ms. ERNST, Mr. HOEVEN, Mr. TILLIS, Ms. CAPITO, Mr. SCOTT of Florida, Mr. DARLING, Mr. BRAUN, Mr. HAWLEY, Mr. KENNEDY, Mrs. LEE, Mr. ROSS, Mr. PERDUE, Mrs. BLACKBURN, Mr. SASSER, Mr. SULLIVAN, Mrs. FISCHER, Mr. INHOFE, Mr. DURBIN, Mr. WICKER, Mr. GRASSLEY, Mr. BOOZMAN, Mr. PORTMAN, Mr. RISCH, Mr. JOHNSON, Mr. ROUNDS, Mr. LANKFORD, Mr. CASSIDY, Mr. ENZI, Mr. SCOTT of South Carolina, Mr. SHELEY, Mr. CRAPO, Mr. GARDINER, and Mr. MCCONNELL):

S. Res. 466. A resolution honoring the memory 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 Finance.

By Mr. GRAHAM (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mrs. BLACKBURN, Mrs. CAPITO, Mr. CRAMER, Mr. CONYNN, Mr. PERDUE, Mr. PORTMAN, Mr. SHLEY, 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. MURPHY, Mr. ROY, Mr. ROSS,

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 December 18, 2019, under House Resolution 755; to the Committee on Rules and Administration.

By Mr. UDALL:

S. 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 Nebraska (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. 169

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. CASSIDY) and the Senator from Louisiana (Mr. CASSIDY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 169, 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. HIEHICH) 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.
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. Mirkowski) 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. 1291
At the request of Ms. McSally, the name of the Senator from Maryland (Mr. Van Hollen) was added as a cosponsor of S. 1291, 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. 2561
At the request of Ms. Baldwin, the name of the Senator from Maine (Mr. King) was added as a cosponsor of S. 2561, 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 Utah (Mr. Coons) were added as cosponsors of S. 2892, a bill to amend title XVII 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. 2998
At the request of Mr. Wyden, the name of the Senator from Arizona (Ms. Sinema) was added as a cosponsor of S. 2998, 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 Secretary 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 Senators 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.

R. Con. Res. 32
At the request of Mr. Markey, the name of the Senator from Kentucky (Mr. McConnell) 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 the assassination of former 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 printed in the Record 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 62(a)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(7) SPLIT 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 “$30,000 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 62(a)(2) 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 FOR 2020 AND 2021—

“(A) In general—The tables contained in subparagraphs (A), (B), (C), (D), and (E) of section 1(j)(5) of such Code are amended by striking “(8) SUSPENSION OF DOLLAR LIMITATION ON STATE AND LOCAL TAXES.”

(b) Conforming amendments—Section 164(b) 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, 2021;”

(3) by striking “December 31, 2017,” shall” and inserting “December 31, 2021,” shall;” and

(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 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, 2020.

SEC. 4. INCREASE IN DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.
(a) Increase—Section 162(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;” and

(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 of such Code are amended by adding at the end the following new subparagraph:

“(i) as tuition or fees for the participation of a 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 162 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(1) FIRST RESPONDER DEFINED.—A first responder with respect to any real or personal property paid or accrued during such taxable year begins after December 31, 2018.

(2) Section 162(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “2015” and inserting “2019;”

(2) by striking “$600,000” each place such term appears and inserting “$452,400”;

(3) by striking “$101,200” and inserting “$132,638;”

(4) (B) by striking “$50,000” each place such term appears and inserting “$125,800” and inserting “$314,510.”

(b) Conforming amendments—

(1) Section 1(j)(4)(B)(iii) of the Internal Revenue Code of 1986 is amended—

(A) by striking “75 percent” and inserting “39.6 percent;”

(B) in clause (ii), by striking “75 percent” and inserting “39.6 percent;” and

(C) in the heading, by striking “39.6 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)(iv)” and inserting “paragraph (5)(B)(v)”;

(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—

(1) the earned taxable income of such child, plus

(2) the maximum dollar amount for the 35-percent rate bracket for estates and trusts.

(3) The heading of section 1(j)(6) 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 subtracting ‘below the maximum zero rate amount for which (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 50 percent 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)”.

(b) 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), by striking “$600,000” each place such term appears and inserting “$479,000;” and

(B) by striking “$1,617,359” and inserting “$1,119,029;”

(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 “$125,800” and inserting “$314,510.”

(b) Conforming amendments—

(1) In section 15 Not to Apply—Section 15 of the Internal Revenue Code of 1986 shall not be construed to apply 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.

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 expiration of the term of 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 date 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, Mr. 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. BROWN, Mr. GRAHAM, Mr. HAWLEY, Mr. KENNEDY, Mrs. LOEFFLER, Mr. PERDUE, Mrs. BLACKBURN, Mr. SASSER, 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 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 numerically superior terrorist attacks against the United States and its allies, including the 2011 plot to assassinate the Israeli 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 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 prohibited 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 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction proliferators and their supporters based on the national emergency with respect to the Islamic Revolutionary Guard Corps, and the Islamic Revolutionary Guard Corps–Quds Force 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;

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 Islamic Revolutionary Guard Corps–Quds Force (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 material 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 Syria and elsewhere;

Whereas the IRGC–QF supports terrorist groups around the world, including Kata’ib Hezbollah, the Taliban, Lebanese Hezbollah, Hamas, al-Qa’ida in the Arabian Peninsula, and the Popular Front for the Liberation of Palestine-General Command, and under Presidents 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. 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. SASSER, and Mr. MOORE)—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”; and

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; and
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; and
Whereas, the refusal by the Speaker of the House of Representatives to transmit the articles is a flagrant violation of the separation of powers and the checks and balances in the bicameral impeachment process under the Constitution of the United States; and
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; and
Whereas, the refusal by the Speaker of the House of Representatives to transmit the articles is unprecedented for presidential impeachments; and
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 by the Senate (the House of Representatives concurring), that:

SEC. 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 sponsor of terrorism and engages in a range of destabilizing activities across the Middle East, including the wholesale theft of American and Saudi oil. 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); and

(B) preventing the achieving a nuclear weapons capability; and

(C) supporting the people of Iraq, Iran, and other countries throughout the Middle East who are fighting against government corruption and violations of basic human rights.

(5) Over the past eight months, in response to 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 House of Representatives deserve an 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.

(2) Congress has not authorized the use of the Armed Forces in response to or for purposes relating to the use of United States Armed Forces to engage in hostilities in or against Iran or any part of its government or military.

(3) Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces.

(4) Congress has not authorized the use of the Armed Forces to use military force.

(5) Congress has declared war or enacted specific statutory authorization for such use of the Armed Forces.

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.

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. SULLIVAN) proposed an amendment to the bill S. 862, to improve efforts to combat marine debris, and for other purposes.

Amendments to H.R. 925, to improve protections for wildlife, and for other purposes;

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:

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 predation by federally protected species.

Title II—Wildlife, Fish, and Invasive Species

Sec. 201. Purpose.


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. 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 land for cost sharing.

Title IV—Wildlife Enhancement, Disease, and Predation

Sec. 401. Theodore Roosevelt Genius Prize for reducing human-predator conflict.
(4) by redesignating paragraph (7) as paragraph (8); and
(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 Enforcement 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, to be known as the ‘Theodore Roosevelt Genius Prize for reducing human-predator conflict’.

"(8) 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 habits of large predators;
"(III) biology;
"(IV) technology development;
"(V) engineering;
"(VI) economics;
"(VII) business development and management; or
"(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

"(9) IN GENERAL.—The Board shall—
"(i) select a topic; 
"(ii) issue a problem statement; and
"(iii) advise the Secretary regarding any opportunity for technological innovation to reduce human-predator conflict using nonlethal means; and 

"(10) ADVISE WINNERS OF THE PRIZE COMPETITION REGARDING OPPORTUNITIES TO PILOT AND IMPLEMENT WINNING TECHNOLOGIES IN RELEVANT FIELD SHARING IN PARTNERSHIP WITH CONSERVATION ORGANIZATIONS, FEDERAL OR STATE AGENCIES, FEDERALLY RECOGNIZED INDIAN TRIBES, PRIVATE ENTITIES, AND RESEARCH INSTITUTIONS WITH INTEREST IN REDUCING HUMAN-PREDATOR CONFLICT USING NONLETHAL MEANS.

"(11) 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 the management of native wildlife species at risk due to conflict with human activities; and 

"(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 wildlife 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; or
"(IV) 1 or more 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.

"(12) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (8)(B).

"(13) 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.

"(14) 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.

"(15) 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); and
"(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement describing the duties described in paragraph (8)(B).

"(16) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—The Secretary shall enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

"(17) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (8)(B).

"(E) IN GENERAL.—The term ‘Indian tribe’ means a tribe that is recognized as eligible for the benefits of Federal programs administered by the Secretary of the Interior, acting through the Administrator of the Fish and Wildlife Service, or the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

"(F) PROGRAM.—The term ‘program’ means the program grant program established under subsection (b)(1).

"(G) SECRETARIES.—The term ‘Secretary’ means—

"(I) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and
"(II) the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

"(H) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

"(I) 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 innovation of technologies to minimize human-predator conflict.

"SEC. 102. LOSSES OF LIVESTOCK DUE TO DEPREDACTION BY FEDERALLY PROTECTED SPECIES.

(a) DEFINITIONS.—In this section:

"(1) DEPREDACTION.—
"(A) IN GENERAL.—The term ‘deprecaton’ means actual death, injury, or destruction of livestock that is caused by a federally protected species.

"(B) EXCLUSIONS.—The term ‘deprecaton’ 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. 1351 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, asses and asses, rabbits, llamas, cattle, bison, 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 program grant program established under subsection (b)(1).

"(b) GRANT PROGRAM FOR LOSSES OF LIVESTOCK DUE TO DEPREDACTION BY FEDERALLY PROTECTED SPECIES.—

"(1) IN GENERAL.—The Secretary 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)—

"(I) 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 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 area designated under 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 affectioning 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 scrapie, bovine spongiform encephalopathy 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, and manage 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 evidence and research;

(iii) ways to leverage the collective resources of Federal, State, and local agencies, Indian Tribes, and foreign governments, and research and resourceful governmental 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 subsection (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 section as the ‘Secretary’); and

(ii) 1 representative of the United States Geological Survey;

(3) REPRESENTATIVES.—The Task Force shall include—

(i) 1 representative of the United States Fish and Wildlife Service with experience in chronic wasting disease, to be appointed by the Secretary of Agriculture;

(ii) 1 of whom shall have expertise in wildlife management;

(iii) in the case of each State in which chronic wasting disease occurs, 1 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;

(iv) in the case of each State in which chronic wasting disease occurs, 1 elk, mule deer, white-tailed deer, or moose has not been documented, but that has carried out efforts 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; and

(v) not more than 1 representatives from an Indian tribe or tribal organization chosen in a process determined, in consultation with Indian tribes, by the Secretary; and

(vi) not more than 5 nongovernmental members with relevant expertise appointed, after the date on which the members are first appointed under clauses (i) through (v), by a majority vote of those State representatives appointed under clause (iv).

(B) EFFECT.—Nothing in this paragraph requires a State to participate in the Task Force.

(C) 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 under paragraph (a)(IV), the Secretary shall submit 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 occurs, 1 elk, mule deer, white-tailed deer, or moose has not been documented, but that has carried out efforts 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; and

(vi) not more than 1 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 (v), by a majority vote of those 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.—

(A) IN GENERAL.—The Task Force shall be constituted by the appointment of the Co-Chairs.

(B) VACANCY.—If a member of the Task Force fails to attend a meeting of the Task Force for 2 consecutive meetings, the Co-Chairs of the Task Force may remove the member from the Task Force.

(C) REMAINING TERMS.—If a member of the Task Force dies, resigns, or is otherwise incapacitated, the Co-Chairs of the Task Force may fill the vacancy in the manner prescribed by law for the appointment of members to the Task Force.

(7) DUTIES.—

(A) IN GENERAL.—The Secretary shall—

(i) establish a 1 or more accounts to receive grants for the purpose of maintaining files of all claims received and paid under grant-funded programs, including supporting documentation; and

(ii) submit to the Secretaries—

(A) a report describing, for the 1-year period ending on September 30 of each year, the losses described in the reports submitted later than September 30 of each year, a State or Indian tribe to administer the 1 or more programs supplemented by the grant funds; and

(B) a report describing, for the 1-year period ending on September 30 of each year, the losses described in the reports submitted for the previous 1-year period ending on September 30 under subparagraph (A).

(B) EFFECT.—Nothing in this paragraph requires a State to participate in the Task Force.

(C) 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 under paragraph (a)(IV), the Secretary shall submit 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;
clause (i) not later than 180 days after the date of submission of the interstate action plan under subparagraph (A). (C) MATCHING FUNDS.—(i) Subject to clause (i), 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 entered into under subparagraph (A) 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 not be greater than $5,000,000.

(B) REPORTS.—Not later than September 30 of each 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 effectiveness of the cooperative agreement entered into under paragraph (8)(B);

(B) updated resource requirements that are needed to reduce or 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 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 Chief of the Animal and Plant Health Inspection Service, and the Secretary of the Interior, acting through the Director of the United States Geological Survey, respectively.

(2) STUDY.—

(A) IN GENERAL.—The Secretaries shall enter into an arrangement with the Academy to conduct a study 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) 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; and

(ii) for each pathway and mechanism identified under subclause (i); and

(iii) the rate of frequency of transmission of each pathway and mechanism identified under subclause (i); and

(iv) anthropogenic and environmental factors contributing to new chronic wasting disease emergence events;

(B) the development of geographical areas with increased chronic wasting disease prevalence; and

(C) the overall geographical patterns of chronic wasting disease distribution;

(D) significant gaps in current scientific knowledge relating to the transmission pathways and mechanisms identified under clause (i)(ii) and potential prevention, detection, and control methods identified under clause (i)(iii);

(E) 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

(F) 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;

(G) assess the effectiveness of the potential prevention, detection, or control measures, practices, or technologies identified under subparagraph (A)(iv); and

(H) 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) DRAFT.—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 by—

(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 other relevant information.

(C) any 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); and

(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 2022, $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 redesigning clauses (i) and (ii) as clauses (ii) and (i), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

(i) relevant Federal agencies;'';

(B) by redesigning 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;’’; and

(C) by adding at the end the following:

‘‘(D) AUTHORIZATION OF APPROPRIATIONS.—The amount 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. 4406c) is amended by striking ‘‘not to exceed—’’ in the matter preceding paragraph (1) and all that follows 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.’’; and

(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.’’; and

(B) in subsection (g)(2) (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—

(i) be 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) of the North American Wetlands Conservation Act (16 U.S.C. 4603) 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. 3709) is amended—

(1) in subsection (c)—

(A) by striking “(c) POWERS.—To carry out the purposes under” and inserting the following:

“(c) POWERS. —

(1) IN GENERAL.—To carry out the purposes provided for in paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriate subparagraphs.

(B) by redesigning paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriate subparagraphs.

(C) in subparagraph (D) (as redesignated by subparagraph (B)), by striking “that are insuured 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 “paragraph (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) receive and administer restitution and community service payments, amounts for mitigation of impacts to natural resources, and other amounts arising from legal, administrative, or judicial 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 redesigning matter at the end and inserting the following:

“(2) TREATMENT OF REAL PROPERTY.—

(A) IN GENERAL.—For purposes of this Act, real property 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 condition required 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 statutory requirement associated with those amounts.”;

(3) by redesigning subparagraphs (c) and (d) as subparagraphs (h) and (i), respectively, and inserting the following:

(1) AUTHORIZATION OF APPROPRIATIONS.—

Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

(i) by striking paragraph (1) and inserting the following:

“(D) $5,000,000 to the Secretary of the Interior;

(2) by striking subsection (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, which is conditioned on the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in that fiscal year.”;

(3) by adding at the end the following:

“(1) AMOUNTS FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—To carry out the purposes of this Act, Federal departments, agencies, or instrumentalities are authorized to—

(i) make payments to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

(ii) make payments to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

(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 fees for the management of amounts received under this paragraph.

(ii) by striking “paragraph (3) or (4)” and inserting “paragraph (C) or (D)”;

(D) in paragraph (2)—

(i) in the paragraph heading, by striking “FUNDS” and inserting “AMOUNTS’’;

(ii) by striking “may be used” and inserting “may be used”;

(iii) by striking “and State and local government agencies” and inserting “State and local government agencies”;

(iv) by adding at the end the following:

“(B) ADMINISTRATION OF AMOUNTS.—

(A) IN GENERAL.—In entering into contracts, agreements, or other partnerships pursuant to this Act, the Foundation, any 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;

(ii) as determined by the head of the applicable Federal department, agency, or instrumentality to enable administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

(iii) the District of Columbia.

(3) by adding at the end the following:

“(B) REPORTS.—The Foundation shall in carry out this section—

(i) for fiscal year 2020, $90,000,000;

(ii) for fiscal year 2021, $90,500,000;

(iii) for fiscal year 2022, $91,000,000;

(iv) for fiscal year 2023, $91,500,000; and

(v) for fiscal year 2024, $92,000,000.”;

(4) by adding at the end the following:

“(C) the District of Columbia.

(5) 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.

(6) MODIFICATION OF DEFINITION OF SPORT FISHING EQUIPMENT UNDER TOXIC SUBSTANCES CONTROL ACT.—

Section 108 of the Toxic Substances Control Act (15 U.S.C. 2602) 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 412(a) of the Interstate Commerce Code, 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 412 or 4221 or any other provision of such Code), and sport fishing equipment components.”.


Section 101(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312; 112 Stat. 2963; 12 Stat. 2579; 132 Stat. 691) is amended by striking “2019” and inserting “2023”.

SEC. 111. CHESAPEAKE WATERSHED INVESTMENTS FOR LANDSCAPE DEFENSE.

(a) DEFINITIONS.—In this section:

“Chesapeake Bay” means the Chesapeake Bay aggrement directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay agreements.

(b) AUTHORIZATION.—There are authorized to be appropriated for purposes of 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.”
(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) The term "grant program" means the Chesapeake Watershed Investments for Landscape Defense grant program as 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 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 for providing for technical assistance, throughout the Chesapeake Bay watershed—  
(i) to sustain and enhance restoration and protection activities, and  
(ii) to improve and maintain water quality to support fish and wildlife, habitats of fish and wildlife, and drinking water for people;  
(D) increasing water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;  
(E) improving opportunities for public access and recreation in the Chesapeake Bay watershed consistent with the ecological needs of fish and wildlife habitat;  
(F) facilitating strategic planning to maximize the resilience of natural ecosystems and habitats under changing watershed conditions;  
(G) 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;  
(H) to sustain and enhance vulnerable communities and fish and wildlife habitat;  
(I) to conserve and restore fish, wildlife, and plant communities; and  
(J) 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 for the purpose of facilitating or providing for restoration, protection, and enhancement;  
(B) enter into an agreement to manage the grant and technical assistance program, to be known as the "Chesapeake Watershed Investments for Landscape Defense program"; and  
(C) establish the grant program in accordance with subsection (c).

(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 for local, state, and technical assistance to eligible entities described in paragraphs (2) to carry out activities described in subsection (b)(2).

(2) ELIGIBILITY.—In 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, 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 program 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 in-kind contribution of services or materials.

(ii) OTHER FEDERAL FUNDING.—Non-Department of the Interior Federal funds may be used 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.

(6) 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 SURPLANT.—Funds made available under this section shall supplement, and not supplant, funding for other activities conducted by the Secretary in the Chesapeake Bay watershed.

TITLED—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 by—  
(A) 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—  
(i) improving ecological conditions;  
(ii) restoring natural processes; or  
(iii) preventing the decline of intact and healthy systems;  
(B) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;  
(C) to broaden the community of support for fish habitat conservation by—  
(i) increasing fishing opportunities;  
(ii) fostering the participation of local communities, especially young people in local communities, in conservation activities; and  
(iii) raising public awareness of the role healthy fish habitat play in the quality of life and economic well-being of local communities;  
(D) to fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment;  
(E) to empower strategic conservation actions supported by broadly available scientific information; and  
(F) to integrate socioeconomic data in the analysis to improve the lives of humans in a manner consistent with fish habitat conservation goals; and  
(G) to communicate to the public and conservation partners—  
(i) the conservation outcomes produced collectively by Fish Habitat Partnerships; and  
(ii) new opportunities and voluntary approaches for conserving fish habitat.

SEC. 202. DEFINITIONS.

In this title:  

(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.
(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 28 members, of whom—
(A) one shall be a representative of the Department of Agriculture;
(B) one shall be a representative of the Association of Fish and Wildlife Agencies; and
(C) one shall be a representative of the United States Geological Survey.

(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), (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) TRLHAL 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.

(b) APPOINTMENT AND TERMS.—
(1) IN GENERAL.—The initial Board shall consist of representatives as described in subparagraphs (A) through (F) of subsection (a)(2) and shall serve for terms of 3 years.

(2) INITIAL 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 recommend 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 date of 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).

(c) CHAIRPERSON.—The Board shall meet—
(A) at the call of the Chairperson; but
(B) not less frequently than twice each calendar year.

(d) MEETINGS.—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 recommendaions 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 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; and
(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 functional potential;
(7) to develop 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.

CRITERIA FOR DESIGNATION.—An entity seeking to be designated by Congress as a Partnership shall—

(a) provide to the Board an application at such time, in such manner, and containing information as the Board may reasonably require; and
(b) 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(ii) demonstrates 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(i) develops a clear plan for implementing priority projects that improve conditions for fish and fish habitat;

(ii) demonstrates completion of, or signifi
cant progress toward the development of, a strategic plan to address declines in fish popula
tions, rather than simply treating symp
toms, in accordance with the goals and national priorities established by the Board; and

(b) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(c) meets the strategic priorities of the Partnership and supports and invests in fish and fish habitat conservation projects that improve conditions for fish and fish habitat;

(d) demonstrates completion of, or significa
t progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(e) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(f) provides a well-defined budget linked to deliverables and outcomes;

(g) leverages other funds to implement the project;

(h) addresses the causes and processes be
down the decline of fish or fish habitats; and

(i) provides a well-defined budget linked to deliverables and outcomes.

(j) develops a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(k) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(l) provides a well-defined budget linked to deliverables and outcomes.

CRITERIA FOR DESIGNATION.—An entity seeking to be designated by Congress as a Partnership shall—

(a) provide to the Board an application at such time, in such manner, and containing information as the Board may reasonably require; and

(b) 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(ii) demonstrates 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(i) develops a clear plan for implementing priority projects that improve conditions for fish and fish habitat;

(ii) demonstrates completion of, or significa
t 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

(b) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(c) meets the strategic priorities of the Partnership and supports and invests in fish and fish habitat conservation projects that improve conditions for fish and fish habitat;

(d) demonstrates completion of, or significa
t progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(e) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(f) provides a well-defined budget linked to deliverables and outcomes;

(g) leverages other funds to implement the project;

(h) addresses the causes and processes be
down the decline of fish or fish habitats; and

(i) provides a well-defined budget linked to deliverables and outcomes.

(j) develops a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(k) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(l) provides a well-defined budget linked to deliverables and outcomes.

CRITERIA FOR DESIGNATION.—An entity seeking to be designated by Congress as a Partnership shall—

(a) provide to the Board an application at such time, in such manner, and containing information as the Board may reasonably require; and

(b) 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(ii) demonstrates 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 conservation;
(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 the 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 Partner
tiveness of fish habitat projects of the Part
and data, the ability to measure the effec
servation priorities based on sound science
and the Board; and

(i) develops a clear plan for implementing priority projects that improve conditions for fish and fish habitat;

(ii) demonstrates completion of, or significa
t 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

(b) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(c) meets the strategic priorities of the Partnership and supports and invests in fish and fish habitat conservation projects that improve conditions for fish and fish habitat;

(d) demonstrates completion of, or significa
t progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(e) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(f) provides a well-defined budget linked to deliverables and outcomes;

(g) leverages other funds to implement the project;

(h) addresses the causes and processes be
down the decline of fish or fish habitats; and

(i) provides a well-defined budget linked to deliverables and outcomes.

(j) develops a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(k) promotes collaboration in developing a strategic plan that addresses declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(l) provides a well-defined budget linked to deliverables and outcomes.
property from willing sellers under this title if the acquisition—
(i) public access for fish and wildlife-depen-
dent recreation; or
(ii) scientifically based, direct enhance-
ment to the health of fish and fish popu-
lations, as determined by the Board.
(B) STATE AGENCY APPROVAL.—
(i) Initially, the Secretary may approve the
real property interest acquisition projects funded under this title if
must be approved by the State agency in the State in which the project is
occurring.
(ii) If the Secretary does not recommend, and the Secretary may not pro-
vide funding for, any real property interest acquisition projects that has not been approved by the State agency.
(C) ASSESSMENT OF OTHER AUTHORITIES.—
The Board may not recommend, and the Sec-
retary may not provide any funding under this title for, any real property interest acquisition unless the Partnership that re-
commended the project has conducted a project assessment, submitted with the fund-
ring request and approved by the Board, to demonstrate all other Federal, State, and local authorities for the acquisition of real property interest has been consulted.
(D) RESTRICTIONS.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or non-Federal entity conducted with funds provided under this title unless—
(i) the owner of the real property author-
izes the State, local government, or other non-Federal entity to acquire the real prop-
erty; and
(ii) the Secretary and the Board determine that the State, local government, or other non-Federal entity would benefit from un-
derwriting the management of the real prop-
erty in accordance with the goals of a Partnership.
(e) NON-FEDERAL CONTRIBUTIONS.—
(1) IN GENERAL.—Except as provided in paragraph (2) and (4), no fish habitat con-
servation project may be recommended by the Board under subsection (b) or provided fi-
nancial assistance under this title unless at
least 50 percent of the cost of the fish habi-
tat conservation project will be funded with non-Federal funds.
(2) NON-FEDERAL SHARE.—Such non-Federal share of the cost of a fish habitat conserva-
tion project—
(A) may not be derived from another Fed-
eral grant program; and
(B) may include in-kind contributions and cash.
(3) SPECIAL RULE FOR INDIAN TRIBES.—Not-
withstanding paragraph (1) or any other pro-
vision of law, any funds made available to an Indian Tribe pursuant to this title may be considered to be non-Federal funds for the pur-
purpose of paragraph (1).
(4) WAIVER AUTHORITY.—The Secretary, in consul-
tation with the Secretary of Com-
merce with respect to marine or estuarine projects, may apply the provisions of para-
graph (2)(A) with respect to a State or an In-
dian Tribe, or otherwise reduce the portion of the non-Federal share of the cost of an ac-
tivity required to be paid by a State or an In-
dian Tribe under paragraph (1), if the Sec-
retary determines that the State or Indian Tribe does not have sufficient funds not de-
erived 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.—
(i) Initial Review.—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 (c)(3) of this section, to the 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.
(ii) Funding.—If the Secretary approves a fish habitat conservation project under para-
graph (1), the Secretary shall use amounts made available to carry out this title to pro-
vide funds to carry out the fish habitat con-
servation project.
(iii) NOTIFICATION.—If the Secretary rejects under paragraph (1) any fish habitat con-
servation project recommended by the Board, not later than 90 days after the date of receipt of the recommendation, the Sec-
retary shall provide to the Board, the appro-
priate congressional committees, the Envi-
ronmental Protection Agency Assistant Admin-
istrator, and the Director of the United States Geological Survey, in coordination with the appropriate Federal departments and agencies, may provide scientific and technical assist-
ance 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 as-
sistance to States, Indian Tribes, regions, local communities, and nongovernmental or-
ganizations in habitat assessment and im-
plementation of Partnerships;
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
ment, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
(b) INCLUSIONS.—Scientific and technical as-
sistance provided under subsection (a) may include—
(1) providing technical and scientific as-
sistance to States, Indian Tribes, regions, local communities, and nongovernmental or-
ganizations in habitat assessment and im-
plementation of Partnerships;
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
ment, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
(b) INCLUSIONS.—Scientific and technical as-
sistance provided under subsection (a) may include—
(1) providing technical and scientific as-
sistance to States, Indian Tribes, regions, local communities, and nongovernmental or-
ganizations in habitat assessment and im-
plementation of Partnerships;
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
ment, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
major, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
major, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
(2) providing technical and scientific as-
sistance to Partnerships for habitat assess-
major, scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.
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 206 of the Department of the Interior, Environment, 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 Magna-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 the authority or power of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

**SEC. 211. NONAPPLICATION 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 for each of fiscal years 2021 through 2025 to provide 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).

(b) **for administrative and planning expenses under this title; and**

(c) **to carry out section 209.**

(b) **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 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. 202. STUDY TO REVIEW CONSERVATION FACTORS.**

(a) **DEFINITION OF SECRETARIES.**—In this section, the term ‘‘Secretary’’ 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 Secretary 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, staff 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 identified to be recovered by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, 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).
available a report describing the results of the study under subsection (b).

SEC. 300. 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 required 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—
(1) the programmatic office of the department or agency on behalf of which each amount was expended or disbursed;
(2) 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
(3) the project or activity carried out using funds 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.—
(A) IN GENERAL.—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 information and other relevant information that describes the conservation activities by the Federal 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
(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.
(B) 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. 300A. 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 in 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. 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.”

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 partnerships.
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. 501. "Nonprofit organization" means an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

Sec. 502. "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.

Sec. 503. "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).

User-Defined Section

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 purposes 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. 186) 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 its adverse impacts 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 extent feasible, 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), the President, by and with the advice and consent of the Senate, shall appoint 12 Directors to the Board, among 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 or ocean science;

(D) at least 2 shall be educated or experienced in international trade or foreign policy;

(E) at least 2 shall be experts in matters related to the environment or economics of the oceans or marine resources; and

(F) at least 2 shall be experts in matters related to marine research, marine science, or the management of marine resources.

(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.

(C) Vacancies.—

(A) In general.—The Under Secretary shall fill any 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 a term of a Director shall be appointed for the remainder of the term.

(D) Reappointment.—An individual (other than an individual described in paragraph (1)) who serves more than 2 consecutive terms as a Director, excluding any term of less than 6 years.

(E) Request for removal.—The executive committee of the Board may submit to the Under Secretary a letter describing the nonperformance of a Director and requesting the removal of the Director from the Board.

(F) 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.

(G) Chairman.—The Chairman shall be elected by the Board from its members for a 2-year term.

(H) Quorum.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(I) Meetings.—The Board shall meet at the call of the Chairman at least once a year. If a Director misses 3 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 in connection with performance of the duties of the Foundation.

(g) General Powers.—

(1) In General.—The Board may complete the obligation of the Foundation by—

(A) appointing officers and employees;

(B) adopting a constitution and bylaws consistent with the purposes of the Foundation and 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, removal, and removal of marine debris.

SEC. 113. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.

(a) In General.—The Foundation—

(1) shall have perpetual succession;

(2) shall 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 specified in subparagraph (A) of this subsection, or any other person designated by the Foundation for administrative expenses, or any income therefrom or to a recipient of a grant under section 114, shall constitute service of process on the Foundation.

SEC. 114. ADMINISTRATIVE SERVICES AND SUPPORT.

(a) Provision of Services.—The Under Secretary may provide personnel, facilities, and other administrative services to the Foundation, up to and including the usual overhead 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 services provided under subsection (a). The Under Secretary shall deposit any reimbursement received under paragraph (1) into the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.

SEC. 115. VOLUNTARY STATUS.

The Secretary of Commerce may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Board (or any other Federal officer or employee of the Board), without compensation from the Department of Commerce, as volunteers in the performance of the functions of the Foundation.

SEC. 116. REPORT REQUIREMENTS; PETITION OF ATTORNEY GENERAL FOR EQUIVALENT 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 on 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 of 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 obliga-

SEC. 118. AUTHORIZATION OF APPROPRIATIONS.

(a) Authorization of Appropriations.—(1) In General.—The Commerce shall carry out this title using existing amounts that are appropriated or otherwise 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 by 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.—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.
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 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 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 of, the Secretary, develop criteria for the selection of prize competition winners;

(H) provide advice and consultation to the Secretary on 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 each 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 accept Federal funds and non-Federal funds for a cash prize or administration of the prize competition; and

(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 no 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 Competition 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 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 project in Rhode Island led by Rhode Island Sea Grant and its partners;
SEC. 134. AMENDMENTS TO MARINE DEBRIS PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 9(a) of the Marine Debris Act (33 U.S.C. 1952(d)(2)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ‘‘Notwithstanding subparagraph (A) or (C)’’; and

(2) in subparagraph (C), in the matter preceding clause (i), by striking ‘‘Notwithstanding subparagraph (A) or (C)’’ and except as provided in subparagraph (B)’’;

(b) ENHANCEMENT OF PURPOSE.—Section 2 of the Marine Debris Act (33 U.S.C. 1952(d)(2)) is amended—

(1) in subparagraph (B), by striking ‘‘5 percent’’ and inserting ‘‘7 percent’’;

(2) in subparagraph (C), in the matter preceding clause (i), by striking ‘‘a matching requirement’’;

(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’’;

(2) in subparagraph (C), in the matter preceding clause (i), by striking ‘‘Notwithstanding subparagraph (A) or (C)’’ and except as provided in subparagraph (B)’’;

(c) ENHANCEMENT OF PURPOSE.—Section 2 of the Marine Debris Act (33 U.S.C. 1952(d)(2)) is amended—

(1) in subparagraph (B), by striking ‘‘5 percent’’ and inserting ‘‘7 percent’’;

(2) in subparagraph (C), in the matter preceding clause (i), by striking ‘‘a matching requirement’’;

(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’’;

(2) in subparagraph (C), in the matter preceding clause (i), by striking ‘‘Notwithstanding subparagraph (A) or (C)’’ 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 special-use permit as a condition for the removal of 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. REDUCING MICROFIBER POLLUTION.

Not later than 2 years after the date of the enactment of this Act, the Interagency Marine Debris Coordinating Committee shall submit to Congress a report on microfiber pollution that includes—

(1) a definition for ‘‘microfibre’’;

(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 Federal agencies, in partnership with other stakeholders, to 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 of Commerce for Oceans and Atmosphere, in consultation with the EPA Administrator, and the Secretary of the Interior, shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study of 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.

(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 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 METHODOLOGY TO CERTIFY CIRCULAR POLYMERS.

(a) IN GENERAL.—The National Institute of Standards and Technology shall conduct a study of the feasibility and advisability of providing in the finished goods based on auditible bookkeeping.

(b) REQUIREMENTS.—Not later than 2 years after the date of the enactment of this Act, the Interagency Marine Debris Coordinating Committee shall submit to Congress a report on microfiber pollution that includes—

(1) a definition for ‘‘microfibre’’;

(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 Federal agencies, in partnership with other stakeholders, to lead on opportunities to reduce microfiber pollution during the 5-year period beginning on such date of enactment.

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; and

(B) the utilization and availability of safe and affordable reusable alternatives to disposable plastic products in commerce, to the extent practicable, and with appropriate consideration for the 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 processes;

(D) access to information on best practices in post-consumer materials management, options for post-consumer materials management financing, and options for participation 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

(iii) 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 and develop reliable solutions 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, development assistance, and cooperation, where practicable, of national projects, programs and initiatives to—

(i) improve the capacity, security, and standards of post-consumer materials management systems;

(ii) monitor and track how well post-consumer materials management systems are functioning, national and subnational 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 or prevent unipolar and unilateral 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 reprocessing projects, programs, and initiatives;

(C) to partner with and provide technical assistance to investors, and national and local institutions, including private sector actors, to promote businesses opportunities and solutions to specifically reduce plastic waste and expand solid waste and post-consumer materials management best practices in foreign countries by—

(1) maximizing the number of people and businesses, in both rural and urban communities, receiving reliable solid waste and post-consumer materials management services;

(2) improving and expanding the capacity of foreign industries to responsibly employ post-consumer materials management practices;

(3) improving and expanding the capacity and availability of transport mechanisms for marine debris to reduce the impacts on the marine environment;

(4) eliminating incentives that undermine responsible material management and waste disposal practices and leakage;

(B) building the capacity of countries—

(A) 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;

(B) to encourage private investment in post-consumer materials management and reduction; and

(C) to encourage private investment, grow opportunities, and develop markets for recyclable, reusable, and repurposed plastic waste and plastic materials, and products with high levels of recycled plastic content, at both national and local levels; and

(v) 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.

(c) PRIORITIZATION.—In carrying out subsection (b), the officials specified in subsection (b) shall prioritize assistance to countries with, and regional organizations in regions with—

(i) rapidly developing economies; and

(ii) rivers and coastal areas that are the most severe sources of marine debris, as identified by the best available science.

(d) EFFECTIVENESS.—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 subsection 201.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the modification of or the imposition of limits on the authority 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 Co-Operation, 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 policies and services, including incentives to reduce plastic waste and the use of recycled content; and

(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 economically unviable;

(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 a new international agreement) 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 or without post-consumer materials management systems, facilities, or policies in place for—

(i) collecting, disposing, recycling, and reusing plastic waste and post-consumer materials; and

(ii) integrating alternatives to disposable plastic products; and

(C) encouraging the development of standards and practices, and increasing recycled content percentage requirements for disposable plastic products.

In integrating tracking and monitoring systems into post-consumer materials management systems:
SEC. 201. 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, in consultation with States and other interested parties, shall 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. 202. 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 201 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) increased use of more practicable, for more types of plastic (including plastic films) and other materials to be reduced, collected, processed, and recycled or repurposed into usable materials;

(5) the development of new strategies and programs that prioritize engagement and cooperation 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; and

(B) to monitor how well post-consumer materials management entities are functioning; and

(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; and

(B) developing effective post-consumer materials management, provisions in stormwater management plans; and

(C) capturing post-consumer materials at stormwater inlets, at stormwater outfalls, or in other outflows of water.

(D) providing education and outreach relating to post-consumer materials movement and reduction; and

(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. 203. 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 fragments; 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—

(A) shall submit to the EPA Administrator an application at such time in such manner, and containing such information as the EPA Administrator may require.

(B) shall include in the application 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;

(C) a description of how the funds will support disadvantaged communities; and

(D) an explanation of any limitations, such as flow control measures, that restrict access to reusable or recyclable materials.

(3) 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 that own treatment works (as defined in section 212 of the Federal Water Pollution Control Act) for the purpose of—

(A) providing treatment works with high levels of recycled plastic content; and

(B) enhancing the grant program into a new waste management State revolving fund.
Polution 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 projects in reducing or removing plastic waste and post-consumer materials, including microplastics and microfibers, from drinking water, including planning, engineering, 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)), 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 recovering 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 waste removed from or disposed of to bodies of water, 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 recycling and reuse;

(F) to monitor or model flows of post-consumer materials, including monitoring or modeling a reduction in trash as a result of implementing 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 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—

(I) plastic waste on humans and animals;

(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-plastic waste 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 effects of plastic waste infrastructure to withstand natural disasters, extreme weather events, and other hazards; and

(vi) plastic waste in infrastructure through an economic analysis.

(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, the EPA Administrator shall submit to Congress a report on the study conducted under subsection (a).

SECTION 305. STUDY ON EFFECTS OF MICROPLASTICS IN FOOD SUPPLIES AND SOURCES OF DRINKING WATER.

(a) IN GENERAL.—The EPA Administrator, in consultation with the 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).

(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; 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-USERS 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 products by refining, 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 Senate 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 Senate 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 Corporation.

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), 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(1)(B)) is amended by striking “Active Reserve” and inserting “Ready Reserve Corps”.
(c) RETIREMENT OF COMMISSIONED OFFICERS.—Section 211 of the Public Health Service Act (42 U.S.C. 211) 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—
(A) in paragraph (1)—
(i) by striking “or an officer of the Reserve Corps”;
(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 or Ready Reserve Corps”;
and
(4) in subsection (f), by striking “the Regular or Reserve Corps”;
(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 1222, Retired Pay for Non-Regular Service.
“(20) Section 12601, Compensation: Reserve on active duty accepting from any person.”
(21) Section 12604, Reserves: each place it appears and inserting “Regular Corps or Ready Reserve Corps”;
(22) in section 206(a), by striking “Regular and Reserve Corps” each place it appears and inserting “Regular Corps and Ready Reserve Corps”;
and
(23) in section 206(c), 206(e), 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:

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 21, 2020, is filled by the reapointment 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:

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-Moorey as a citizen regent of 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-Moorey 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 the 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 bill 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 question is, Shall the bill pass?

The bill (H.R. 925), as amended, was passed.

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. 182, and the Senate proceed to its immediate consideration.

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.”

The bill (S. 182), as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. 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. 182), 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/BUNDES RAT 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-recognized 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. Coach Roberts heartwarming 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 talents, 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.

 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 talents, 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.*
小学（富尔顿学区）、布兰福德小学（罗文森联合学区）、布埃纳特泥小学（中央泥小学区）、乔治·米勒小学（中央泥小学区）、戈德曼泥小学（普拉米亚泥泥东泥学区）、基利安泥小学（罗文森联合泥小学区）、拉古纳路小学（布兰福德泥小学区）、梅洛斯小学（哈里森镭泥泥学区）、罗伯特·西耶泥小学（布兰福德泥学区）、威格伍德泥小学（哈里森镭泥泥学区）、戈德曼泥小学（罗文森联合泥小学区）。

加州荣誉学校，这些机构制定了为学生创造一个鼓励性教育环境的标准。学生通过参与学校的服务生体验项目，可以体验到课堂学习和课外活动的结合。学生在积极参与学校项目的同时，也能获得对未来职场的准备和技能的提高。这种教育环境不仅能够提高学生的学术成绩，还能培养学生的能力。

在农业方面，科夫林的祖父一直从事农业工作。他从一开始就教给他的儿子们种植各种作物。他的两个儿子——乔治和罗塞塔·本杰明·科夫林，为将来能成为一个成功的农民而打下了坚实的基础。他们通过在农场上工作，建立了一个家庭，绿色房子，家禽和家畜。该学校于2016年启动，目的是向学生介绍农业实践，并让学生体验动手实践的农业教育。

霍恩·戴维斯·克利夫顿。我有机会看到这些学生在艺术、手工制作、视频游戏设计和烹饪等领域的学习。他们有机会体验到烹饪艺术、丝网印刷、视频游戏设计与虚拟现实、图书制作和许多其他令人惊叹的课程，每周五都会进行。我请求众议院加入我，向克利夫顿的家人和社区表示我最深切的哀悼。
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 at Tuskegee Institute (University), earned 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 Colonel in 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 Sciences 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 super-mentor for his systematized 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 researchers, educators 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 tutor, a friend 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.

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
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 2020

Ms. TLAIB. 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 out 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, present 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, 2018, 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. Among his contributions, he 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. She graduated from high school in New Hyde, New York, in 1969, and received her 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 and 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 Medal 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 intricate process of how spectrum—or spectrum 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 manage the 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 wireless 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 lifetime 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 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.

Over 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—brining more allies into this important fight.

His lifetime of advocacy has led him to other prominent roles as well. In his many years in this 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 Health Care System for this designation.

HONORING MAYOR JOE WELLMAN

HON. LARRY BUCHSHON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 9, 2020

Mr. BUCHSHON. Madam Speaker, I arise 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 People's 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 of Washington.

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.

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 honor 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 1996 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 Ehonoko; 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.

Today, Daisy is an elected community representative, currently serving as District Leader for NYC’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 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.

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)


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.

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.

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.

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.

America’s Conservation Enhancement Act: Senate passed H.R. 925, to improve protections for wildlife, after agreeing to the following amendments proposed thereto:

McConnell (for Barrasso) Amendment No. 1276, in the nature of a substitute.

McConnell (for Barrasso) Amendment No. 1277, to amend the title.

Save Our Seas 2.0 Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 925, to improve efforts to combat marine debris, and the bill was then passed, after agreeing to the following amendment proposed thereto:

McConnell (for Sullivan) Amendment No. 1278, in the nature of a substitute.


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.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.
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.

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.

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.
- 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.

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.


Messages from the House:

Measures Referred:

Measures Placed on the Calendar:

Executive Communications:

Petitions and Memorials:

Additional Cospromsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Record Votes: Two record votes were taken today. (Total—10)

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.

Additional Cospromsors:

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 reentry entrepreneurship counseling and training services for incarcerated individuals, by a ⅔ 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;

Pages 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;
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;

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 EXHAUST 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

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

Senator 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


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
Velazquez, Nydia M., N.Y., E22
Wittman, Robert J., Va., E21