

Mr. SPANO. Madam Speaker, I rise today to express grave concern with the National Defense Authorization Act for Fiscal Year 2020.

Every year, Congress is tasked with funding our military. These funds do everything from feeding our troops to equipping them for combat, to giving them and their families medical care.

Because this funding is of such vital importance for our troops and our national security, these bills normally pass through Congress with wide bipartisan support.

However, despite the President, senior military officials, and a bipartisan Senate all agreeing on a funding level, House leadership has proposed a bill \$15 billion less than what experts say is required.

This bill represents one of the worst political games I have seen in this House. It puts our servicemembers at risk and leaves our entire Nation vulnerable by underfunding personnel accounts, vital modernization initiatives, and deterrence against foreign aggression.

I call upon this House to follow us in this lead to set aside our differences and authorize these programs at the levels needed to protect our troops and our Nation.

EQUAL PAY FOR THE WOMEN'S NATIONAL SOCCER TEAM

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

Ms. HAALAND. Madam Speaker, I stand in support of equal pay for equal work and in celebration of the women's national soccer team.

The team's World Cup victory highlighted a stark reality: There is still work to be done to ensure equal pay for the same work.

Last week, my colleagues and I in the Democratic Women's Caucus wrote to the U.S. Soccer Federation with a simple argument: Our most successful U.S. soccer team in history deserves equal pay.

The work of the women soccer players, coaches, and staff should not be worth less simply because they are women.

The women's soccer team is inspiring young girls everywhere to dream big. We must make sure those girls don't have to worry about equal pay. You shouldn't have to be a record-breaking world champion to get the same pay as your male counterparts.

As Megan Rapinoe said at the victory parade on Wednesday, "We have to be better."

IN REMEMBRANCE OF TIMOTHY McDONALD AND DEB SCHOTT

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

Mr. STAUBER. Madam Speaker, I rise today in remembrance of Timothy

McDonald and Deb Schott, who both tragically perished in a helicopter crash at the Brainerd airport last month.

Both Timothy and Deb dedicated their lives to helping others. Timothy was a medical pilot for North Memorial's Air Care Unit and had previously served in the United States Army. He did two tours in Iraq. Deb was an emergency flight nurse for North Memorial's Air Care Unit. She had worked in the medical field since she was 19 years old.

Timothy and Deb both had outstanding reputations in their respective fields and were both beloved by their coworkers. My thoughts and prayers are with their loved ones.

Madam Speaker, our first responders are often the first on the scene, ready to help in times of crisis. We must never take the work they do or the sacrifices they make for granted.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020

GENERAL LEAVE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2500.

The SPEAKER pro tempore (Mr. KILLDEE). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 476 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2500.

Will the gentlewoman from Minnesota (Ms. MCCOLLUM) kindly take the chair.

□ 0919

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2500) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Ms. MCCOLLUM (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Thursday, July 11, 2019, a request for a recorded vote on amendment No. 430 printed in part B of House Report 116-143 offered by the gentlewoman from New York (Ms. OCASIO-CORTEZ) had been postponed.

AMENDMENT NO. 437 OFFERED BY MR. THOMPSON OF MISSISSIPPI

The Acting CHAIR. It is now in order to consider amendment No. 437 printed in part B of House Report 116-143.

Mr. THOMPSON of Mississippi. 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 subtitle E of title X, insert the following:

SEC. 10. PROHIBITION ON USE OF DOD EQUIPMENT, PERSONNEL, AND FACILITIES FOR ICE DETENTION.

No facilities, equipment, or personnel of the Department of Defense may be used to house or construct any housing for any foreign nationals who are in the custody of and detained by U.S. Immigration and Customs Enforcement.

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Mississippi (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. THOMPSON of Mississippi. Madam Chair, I yield myself such time as I may consume.

My amendment, Madam Chair, would prohibit any Department of Defense resources from being used to allow Immigration and Customs Enforcement to expand its detention capacity.

The fiscal year 2019 appropriations bill for the Department of Homeland Security allows for 40,520 detention beds for ICE, which is the highest amount Congress has ever provided. Despite this historic capacity, ICE continues to exceed this detention capacity and currently has more than 52,000 migrants in detention—a record high. In fact, ICE has exceeded its detention bed capacity for multiple fiscal years in a row.

To pay for this excess, ICE has, in the past, turned to Congress for more funding or siphoned off funds from other components in DHS. In 2018, when ICE went beyond its detention bed limit, it took almost \$200 million from U.S. Customs and Border Protection, the Coast Guard, TSA, FEMA, and ICE criminal investigations.

ICE continually expands beyond its means and then expects to be bailed out. This cannot go on.

ICE needs to operate within its appropriated limits and make more strategic decisions about whom to detain. ICE should prioritize detaining migrants who pose a serious threat to our society as well as those who will not be deported unless they are detained.

ICE cannot be given a blank check. Madam Chair, my amendment restricts defense resources from being used for ICE detention.

We have already seen President Trump defy the will of Congress on border wall funding. When Congress refused to fund this ineffective and wasteful border wall, he decided to take money away from other departments to build his wall, and his prime funder was the Department of Defense.

Madam Chair, I hope you will join me in preventing the Department of Defense's funding from being used as President Trump's personal piggy bank to circumvent the will of Congress. I urge my House colleagues to support

this amendment, and I reserve the balance of my time.

Mr. THORNBERRY. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Madam Chair, I have only myself to speak, so I reserve the balance of time to close.

Mr. THOMPSON of Mississippi. Madam Chair, I yield myself such time as I may consume.

ICE continually overspends on detention and doesn't face any consequences. Not only are they holding on to more people than ever before, they are doing so when there are alternatives to detention that have proven to be reliable and effective.

On average, it has cost \$130 for ICE to detain an adult a day. One person in family detention costs \$319 a day. Alternatives to detention cost less than \$20 a day, and that includes services to help them understand our immigration system and show up for court hearings.

I would note that Congress recently appropriated more money for ICE to use these alternatives to detention for migrants who do not pose a threat or have criminal backgrounds.

ICE needs to operate responsibly, and that includes following a budget. The Trump administration cannot be allowed to turn to the Department of Defense every time it has a new demand.

Madam Chair, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we had a number of these debates last night as far as DOD resources in supporting the ICE mission at the border.

I might note, parenthetically, no Republican amendments on this issue were made in order under the rule, only Democratic amendments.

But, on the substance of the matter, I completely agree with, I think, the sentiments of the gentleman from Mississippi (Mr. THOMPSON) in that I would prefer not one dollar—or one person—from DOD have to be sent to the border to support the ICE mission. We ought to fully fund border security on its own, because we have enough issues with broader national security for the Pentagon and the military to deal with.

Unfortunately, that is not possible when we don't fully fund ICE and when we have an unprecedented situation at the border. Border Patrol stations are at a breaking point. They have been over capacity for nearly all of 2019. DHS has already apprehended more than 390,000 illegal immigrant members in 2019, which is more than triple the amount of the year before.

So we have triple the number of migrants, we don't fully fund border security and ICE, and now this amendment says we also can't use DOD resources to back up.

So what is the result? The result is either one of two things: You have this humanitarian crisis that appalls us all because the resources have not been put on the border to take care of these people and process them appropriately, or you just give up border security and you just have open borders and let anything and anybody who wants to come in, come in.

Those are the alternatives if you don't provide the resources at the border that are needed.

Again, my preference is DOD doesn't do any of this. DOD has its hands full. But if you don't fully fund ICE commensurate with the number of people, the situation they have got to deal with on the ground, triple the number of migrants, if you don't fund them to deal with that situation, then that is where DOD gets called in as backup and support.

As Ranking Member ROGERS mentioned last night, there are no ICE detainees in DOD facilities right now. I hope that there are not. Again, DOD has its own mission.

But you create the problem if you don't fund ICE. If you say you can't use DOD or anything else, then what happens? You have a humanitarian crisis.

I think that we need to do better. This Congress needs to do better on the whole issue of border security. That will benefit the migrants that we are talking about; that will benefit DOD; and that will benefit the country.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. THORNBERRY. 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 Mississippi will be postponed.

□ 0930

AMENDMENT NO. 438 OFFERED BY MR. MALINOWSKI

The Acting CHAIR. It is now in order to consider amendment No. 438 printed in part B of House Report 116-143.

Mr. MALINOWSKI. 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 subtitle H of title X, add the following new section:

SEC. — PROHIBITION ON EXPORT OF AIR TO GROUND MUNITIONS, RELATED COMPONENTS AND PARTS OF SUCH MUNITIONS, AND RELATED SERVICES TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES.

(a) IN GENERAL.—For the one-year period beginning on the date of the enactment of this Act, the President may not issue any license, and shall suspend any license or other approval that was issued before the date of

the enactment of this Act, for the export to the Government of Saudi Arabia or the Government of the United Arab Emirates of any air to ground munitions, related components and parts of such munitions, and related services.

(b) WAIVER.—The President may waive the prohibition in subsection (a) for any instance of license denial or suspension that shall result in a cost to the Federal Government.

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from New Jersey (Mr. MALINOWSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. MALINOWSKI. Madam Chair, let me begin by saying what this amendment will not do.

It will not end our security relationship with Saudi Arabia. It will not prevent us from helping the Saudis defend themselves against the Houthis or Iran or anybody else. It won't prevent us from working with them to deal with maritime threats in the Persian Gulf or from sharing intelligence about terrorism.

It will not, in other words, preclude us from doing anything that is in America's national security interest.

All it will do is stop something that is categorically harmful to our national interest: the provision of offensive weapons that enable Saudi Arabia to keep defying our advice by bombing Yemen and prolonging the war there.

There is a reason why people say that this war has caused the world's worst humanitarian crisis. More than 200,000 civilians have been killed or died of starvation.

While the Houthis are to blame for much of this, Saudi and UAE airstrikes are responsible for two-thirds of Yemeni civilian casualties.

There was a strike on a funeral where more than 150 civilians were killed, a strike on a school bus that killed 40 kids, on a Save the Children Hospital, on a wedding.

These were not mistakes. These were deliberate and precise attacks. And everybody in Yemen knows that the bombs causing the suffering are made in the United States.

Who benefits from this? Certainly not us. From a strategic perspective, the only winner is Iran. By making a relatively small investment in Yemen, the Iranians have drawn the Saudis into this quagmire which tarnishes them and the United States and pushes Yemenis into Iranian hands.

Over two administrations, the U.S. Government has tried to use its influence to change how Saudi Arabia fights this war. I know about this effort because I was in charge of it in 2015 and 2016 at the State Department. It was worth a try then, but the Saudis did not listen to us.

Under both the Obama and Trump administrations, we have given the Saudis specific lists of targets not to strike. We have told them: Do not hit this specific hospital or this port facility or that bridge. And then, repeatedly, they have gone ahead and hit the

precise coordinates on our no-strike list.

And then we just keep on selling them the bombs.

What does that say to the people of Yemen? What does it say to the leadership of Saudi Arabia?

Now, I know some have argued that, if we want to protect civilians in Yemen, it is better to at least make sure the Saudis have precision munitions to help them avoid collateral damage. This argument does not make sense. The Saudis are using our precision weapons to precisely hit the wrong targets.

Others have said that, if we don't help the Saudis, the Russians or the Chinese will. That is nonsense. The Saudis use American aircraft. Last I checked, you cannot service an F-15 with MIG parts. They are, for the foreseeable future, utterly dependent on us.

The question we have to decide is: What kind of relationship are we going to have with Saudi Arabia? Is it one in which the Saudis can do whatever they please, contrary to our advice, contrary to our interests, knowing that, whatever they do to us, we will take it on ourselves to save the relationship? Or will we finally recognize that, while we benefit from working with Saudi Arabia, the Saudis need us far more?

This is a measured amendment, Madam Chair, that deals with precisely the Saudi conduct that we most oppose, without undermining our ability to cooperate with Saudi Arabia on other issues. I urge my colleagues to support it, and I reserve the balance of my time.

Mrs. WAGNER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mrs. WAGNER. Madam Chair, I rise in opposition to the gentleman from New Jersey's amendment, which would ban sales of all air-to-ground munitions to Saudi Arabia and UAE for a period of 1 year.

The gentleman and I have worked together on many human rights issues, including on legislation that would hold Saudi Arabia accountable for the killing of Jamal Khashoggi, and I share the gentleman's concern for the Saudi-led coalition's record on human rights.

But, while I understand the gentleman's amendment is intended to address concerns about the Yemen conflict, which I share, this amendment is not the correct approach to do so.

Rather than provide clear conditions and benchmarks regarding our strategic partners' wartime conduct, the effect of this amendment would simply slam the door.

Disengaging will not help us end the war in Yemen, nor will it help us contain Iran's malign influence.

Iran is backing Houthi rebels in Yemen, who toppled the internationally recognized government in Yemen and began a bloody civil war that has roiled the region since 2015.

Iran has helped the Houthis target civilian infrastructure in Saudi Arabia, and on June 6, Iran-backed Houthi rebels in Yemen shot down a U.S. MQ-9 Reaper drone using an Iranian—an Iranian—surface-to-air missile.

U.S. Central Command said the attack was "enabled by Iranian assistance."

Iran's increasingly reckless and aggressive behavior is deeply concerning. Saudi Arabia and the UAE are on the front lines of the struggle to contain Iran.

As partners like Saudi Arabia continue to endure Houthi attacks on civilian targets, we need a tailored approach that helps our partners protect their national security while minimizing casualties.

This amendment is not tailored, and it will not make the Arabian peninsula safer.

Madam Chair, I urge Members to oppose this amendment, and I reserve the balance of my time.

Mr. MALINOWSKI. Madam Chair, I yield 1½ minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Madam Chair, I thank the gentleman for offering this amendment.

I do agree with the opponent on this issue, that we have tried to hold Saudi Arabia accountable. As the gentleman mentioned, we have countlessly showed them how to better target.

We have tried various things legislatively. We have introduced legislation. We have done a bunch of different things to try to say we don't like what Saudi Arabia is doing.

But we have never actually done any of it, because the Trump administration has decided—and, as the gentleman points out, it wasn't just the Trump administration—that we are basically all in on Saudi Arabia. We are simply going to support them no matter what.

The murder of Jamal Khashoggi was appalling, and the fact that Saudi Arabia felt that they could do it and get away with it is the most alarming thing. Well, it is not the most alarming thing. The thing that is more alarming is they were right.

They figured that this administration would do nothing, just like as they bombed the schoolbus, as they bombed the funeral, as they bombed all of those civilian targets. As many times as we told them that we didn't want them to do that, they knew there would be no consequences, that, at the end of the day, the U.S. was not going to hold them accountable for that.

And the consequences are grave. As the gentleman points out, it actually empowers Iran because it sends a message to the world that we are willing to bomb and kill civilians and participate, however good intentioned, in what has become the largest humanitarian crisis in the world.

And it drives people into terrorists' arms because, yes, Iran is a problem, but ISIS and al-Qaida, I would submit to you, are a larger problem.

And they use this. They use our blind support for Saudi Arabia and for this war in Yemen against us.

Madam Chair, this is a good amendment, and I urge its adoption.

Mr. MALINOWSKI. Madam Chair, I yield back the balance of my time.

Mrs. WAGNER. Madam Chair, the last few months has seen Iran perpetrate a series of provocative actions against the U.S. and its regional partners:

On May 15, armed drones struck two Saudi oilfields, resulting in the ordered departure of nonessential personnel from U.S. Embassy Baghdad and the General Consulate Erbil;

On May 16, the head of the Quds Force called on the terror groups to prepare for a proxy war;

Armed drones launched by the Houthis have repeatedly attacked a civilian airport in Saudi Arabia;

On June 19, Iran shot down U.S. military assets over international waters;

And, just yesterday, the British Navy prevented three Iranian parliamentary vessels from impeding the passage of a British oil tanker transiting the Strait of Hormuz.

This is not the time to walk away from our strategic allies. We share a common threat. We must be certain that they are equipped with the tools they need to defend their national security and to work with us in countering common threats that destabilize this region.

I firmly believe the United States can support our strategic allies while also insisting that they prosecute the war in Yemen more responsibly.

Madam Chair, I urge my colleagues to oppose 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 Jersey (Mr. MALINOWSKI).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. WAGNER. 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 Jersey will be postponed.

AMENDMENT NO. 440 OFFERED BY MRS. DINGELL

The Acting CHAIR. It is now in order to consider amendment No. 440 printed in part B of House Report 116-143.

Mrs. DINGELL. 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 subtitle B of title III, insert the following:

SEC. 3. DESIGNATION AS HAZARDOUS SUBSTANCES.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall designate all per- and polyfluoroalkyl substances as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602(a)).

The Acting CHAIR. Pursuant to House Resolution 476, the gentlewoman from Michigan (Mrs. DINGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I would like to first thank Chairman SMITH and the House Armed Services Committee for all their good work crafting the National Defense Authorization Act for Fiscal Year 2020.

This is a strong bill. It includes many top priorities that will care for our servicemembers and keep the United States well defended, including serious provisions to address PFAS chemical contamination, which is a serious threat at too many of our military bases. PFAS chemicals are manmade and harmful to human health and our environment.

Developed in the 1940s, PFAS can be found across multiple industries and all around us in many of our communities. PFAS contamination is widespread. It is in red States; it is in blue States, in small water systems, in large ones, on military sites, and in residential communities.

Recently, experts with the Environmental Working Group have identified 712 sites in 49 States that have some level of PFAS contamination, and most are not being cleaned up. These sites are associated with drinking water systems serving about 19 million people, and the number of sites is expected to grow across the country because States are just beginning to test for these chemicals.

The Environmental Working Group has also identified 219 military-specific sites that have PFAS contamination because—and, at the time, it is what existed—PFAS firefighting foams were used. Yet, in many States—my home State of Michigan included—cleanup of these sites is not happening.

Unfortunately, the military is part of that problem. They are arguing that, in these communities, they don't have to clean up the PFAS contamination because the Superfund law does not require them to do so.

In May of 2018, the then-EPA Administrator Scott Pruitt proudly announced that EPA would propose designating PFOA and PFOS as hazardous substances under the Superfund law. Under EPA Administrator Wheeler's leadership, EPA hasn't even issued a proposed rulemaking, let alone finalized an action. At this rate, it will be at least another year—at least—and probably longer before this vital step is taken.

Americans deserve better. Congress needs to act, and this amendment would be a meaningful step forward.

It is clear. PFAS chemicals are hazardous, and it is time these chemicals are properly designated as hazardous substances.

Our amendment would simply require the EPA to list PFAS chemicals—in-

cluding PFOA, PFOS, GenX, and many other harmful chemicals—as hazardous substances under the EPA's Superfund cleanup program within 1 year.

□ 0945

Designating this will jump-start the cleanup process at military facilities, which is needed, and in communities across this country; and that is why it is imperative that this amendment be included.

I am proud to have offered this amendment, and I thank all who have supported this approach and make this possible for us to consider today.

Today, we have a real opportunity to help accelerate the cleanup process wherever PFAS contamination exists and protect the health of all Americans, and our servicemen and women, and the environment, now and for future generations. I urge all of my colleagues to support this amendment.

Madam Chair, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE), who I have been proud to work with on this.

Mr. KILDEE. Madam Chair, I thank my colleague for her leadership on this issue, and for yielding.

This amendment is really simple. It requires polluters who have contaminated drinking water with PFAS chemicals to clean it up. The amendment has the support of the Armed Services Committee and the Energy and Commerce Committee, and I thank the chairs of those committees for their help.

It also has the support of the International Association of Firefighters and the National Farmers Union because they know how important it is to clean up PFAS.

Communities like the community of Oscoda, in the northern part of my district, have waited too long for the Defense Department to act. This is a step toward getting these dangerous chemicals out of the ground and out of our groundwater.

I do understand that some groups are concerned about this amendment, utilities and airports. We pledge to work with them as this legislation moves through conference to make sure that we deal with the concerns that they raise.

But this is simple. This says that we are going to protect public health. Every day that we fail to act, the cost of PFAS cleanup just gets more expensive.

I encourage my colleagues to support this important amendment and to support the underlying bill.

Mrs. DINGELL. Madam Chair, I yield back the balance of my time.

Mr. SHIMKUS. Madam Chair, I claim time in opposition.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chair, this amendment is anything but simple. It is highly complex. Per- and polyfluorinated compounds, there are

probably 5,000 different permutations, and my colleagues act like it is one formulation; and it is multiple.

So what they want to do is, in essence, do a de facto ban by claiming a class of 5,000 chemicals as qualified for toxic and in the Superfund; and that is a de facto ban of all these applications.

We are all going to fly home tonight. We are going to close the door to the plane. We are going to have this seal, and this seal is what is used to protect—the seal around the airplane door—us, so we don't get sucked out. Banned, toxic Superfund.

No one disputes our colleagues' concerns and maybe my concern about former installations, current installations, and water in ditches from firefighting foam. So let's deal with that issue.

Let's not do what this amendment and other amendments will do which is throw the proverbial baby out with the bathwater.

So what do we use some of these formulations of per- and polyfluorinated compounds—again, some 5,000—for? We use it to save the lives of people.

Here is a stent, which are in millions of people. PFAS banned, de facto banned, because it falls under a Superfund. No one is going to make them because they don't want to be held legally liable if this stent eventually goes into a landfill. So we don't need that anymore.

More kids than I know are born with a hole in their heart. So what is the chemical compound that helps plug the hole, so these children can grow and mature? Oh, it is a PFAS-formulated compound. So let's have a de facto ban on this device.

Remember, these medical devices are approved by our Food and Drug Administration. They say they are safe to be inserted into the human body. So why would we then say, if it is safe to be inserted into the human body, these medical devices are now going to be unsafe in a landfill, and then you have a Superfund act and, again, a de facto ban?

This shouldn't be in this debate. I have great respect for the chairman and the ranking member, but this is a National Defense Authorization Act. It is not an Energy and Commerce Environment and Climate Change Subcommittee act; and I hope we will take that up.

EPA deals with toxicologists, analytical chemists, organic chemists, epidemiologists, chemical biologists, material scientists, theoretical chemists. Those are the ones who are going to help us decide which of the 5,000 permutations of PFAS are actually good and which ones are actually harmful.

But this says they are all bad. It is like—my folks don't want me to use this example. It is like saying, an orange is bad. Let's ban all fruit.

Okay. No, we are going to take the peeling of a banana and throw it in a dump. Oh, no, that is going to be a toxic dump under Superfund, and no

one is going to have and harvest bananas anymore. That is just ridiculous.

It is moved by emotion. We understand that. It is moved by real problems and groundwater contamination. We are not against that.

My plea is, let's use the committee process, and help you and help me and these other communities affect change and provide safe drinking water to our communities.

We have got the water communities who are afraid of this amendment. They are afraid of this amendment because of previous practices, and then them falling under Superfund liability, and then having to raise rates based upon providing sludge to farmers who put it on their ground, and then they get held up in this Superfund trap.

So I have all the waterway councils, all the water works, the municipal utilities that are saying, this is not the way to go to ban a whole class, and this is going to put us on the hook, and it is going to raise water rates.

I also have a list of 20 or so manufacturing sectors. They said, let's clean up the water. Let's not ban a whole class.

JULY 11, 2019.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: We, the undersigned associations, believe that Congress should act to address contamination associated with per- and polyfluoroalkyl substances (PFAS) in a manner that prioritizes cleanups over bureaucracy. For this reason, we oppose Amendment 440 offered by Reps. Kildee and Dingell, and Amendment 48, offered by Rep. Pappas, to H.R. 2500, the "National Defense Authorization Act for Fiscal Year 2020."

PFAS are a large and diverse class of chemicals with unique properties that have been used in a broad number of beneficial applications for decades. Heightened attention to potential health effects of certain PFAS chemicals has understandably led to increased public concern and interest in new regulatory protections in this area.

We support action to address these concerns, and are committed to proactively working with Congress, regulators, and other stakeholders to establish risk-based standards for PFAS that protect human health and the environment.

We applaud the leadership of Reps. Kildee, Dingell, and Pappas for pushing Congress to address PFAS contamination. Amendments 440 and 48, however well-intentioned, are unproductive approaches to expeditiously address PFAS contamination.

Amendment 440 would require the Environmental Protection Agency (EPA) to designate all PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or Superfund, within one year. Similarly, Amendment 48 would require EPA to add all PFAS to the list of toxic pollutants regulated by the Clean Water Act and establish effluent and pretreatment standards, which could trigger "back door" CERCLA designations.

CERCLA listing decisions are not political questions that Congress is best positioned to address. EPA should retain its traditional authority to study potentially hazardous substances and to ascertain whether they should be designated under CERCLA. The Superfund program has a strong track record, and EPA's career scientists have the requisite expertise to examine PFAS.

Moreover, Amendments 440 and 48 would likely lead to slower cleanups because of an

overwhelmed EPA and the potentially needless reopening of vast amounts of remediated sites. Such an approach could also undermine the nascent progress towards clean up at some of the prevalent, known contaminated sites.

We are disappointed that an amendment proposed by Rep. Fitzpatrick, with Reps. Boyle, Upton, McKinley, Rouda, and Blunt Rochester, will not come up for a vote in the House. The approach of this bipartisan amendment, which mirrors provisions of the defense authorization bill passed by the full Senate, would have encouraged the development of a consistent approach and clear timelines for assessing and regulating specific PFAS across all relevant federal agencies to ensure that government regulations, actions, and communications are consistent and coordinated for maximum effectiveness.

Congress's goal should be to create conditions for cleanups to occur as expeditiously as practicable. While we oppose Amendments 440 and 48, we applaud the work of the amendments' sponsors and the other leaders of PFAS issues in both parties for their important contributions. We look forward to working with you on this important matter as the legislative process continues.

Sincerely,

Airlines for America; Airports Council International—North America; Alliance of Automobile Manufacturers; American Chemistry Council; American Forest & Paper Association; Council of Industrial Boiler Owners; Flexible Packaging Association; International Liquid Terminals Association; National Association of Chemical Distributors; Plastics Industry Association; Petroleum Marketers Association of America; Society of Chemical Manufacturers and Affiliates; TRSA, the Linen, Uniform, and Facility Services Association; U.S. Chamber of Commerce.

Mr. SHIMKUS. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL).

The amendment was agreed to.

AMENDMENT NO. 441 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 441 printed in part B of House Report 116-143.

Ms. JAYAPAL. 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 subtitle H of title X, add the following new section:

SEC. 10. INDEPENDENT STUDIES REGARDING POTENTIAL COST SAVINGS WITH RESPECT TO THE NUCLEAR SECURITY ENTERPRISE AND FORCE STRUCTURE.

(a) COMPTROLLER GENERAL REPORT.—

(1) REQUIREMENT.—Not later than December 1, 2020, the Comptroller General of the United States shall submit to the congressional defense committees a report containing cost analyses with respect to each of the following:

(A) Options for reducing the nuclear security enterprise (as defined by section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)).

(B) Options for reductions in service contracts.

(C) Options for rebalancing force structure, including reductions in special operations

forces, the ancillary effects of such options, and the impacts of changing the force mix between active and reserve components.

(D) Options for reducing or realigning overseas military presence.

(E) Options for the use of pre-award audits to negotiate better prices for weapon systems and services.

(F) Options for replacing some military personnel with civilian employees.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex with respect to the matters specified in subparagraphs (A) and (C) of such paragraph.

(b) FFRDC STUDIES.—

(1) REQUIREMENT.—The Secretary of Defense shall seek to enter into agreements with federally funded research and development centers to conduct the following studies:

(A) A study of the cost savings resulting from changes in force structure, active and reserve component balance, basing, and other impacts resulting from potential challenges to foundational planning assumptions.

(B) A study of the cost savings resulting from the adoption of alternatives to the current nuclear deterrence posture of the United States.

(C) A study of the cost savings of alternatives to current force structures.

(2) DETAIL REQUIRED.—The Secretary shall ensure that each study under paragraph (1) has a level of detail sufficient to allow the Director of the Congressional Budget Office to analyze the costs described in such studies.

(3) SUBMISSION.—Not later than December 1, 2020, the Secretary shall submit to the congressional defense committees each study under paragraph (1).

(4) FORM.—The studies under paragraph (1), and the report under paragraph (3), shall be submitted in unclassified form, but may contain a classified annex.

(c) INDEPENDENT STUDY.—

(1) REQUIREMENT.—The Secretary shall seek to enter into an agreement with an appropriate nonpartisan nongovernmental entity to conduct a study on possible alternatives to the current defense and deterrence posture of the United States, including challenges to foundational assumptions, and the impact of such postures on planning assumptions and requirements, basing, and force structure requirements.

(2) SUBMISSION.—Not later than December 1, 2020, the Secretary shall submit to the congressional defense committees the study under paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 476, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Madam Chair, let me start by thanking the chairman of the Armed Services Committee, ADAM SMITH, my colleague, for his hard work and leadership on this bill.

My amendment requires a series of independent studies to evaluate potential cost savings with respect to our country's nuclear security enterprise and force structure.

This amendment is a measured approach to ensuring that our military spending meets our national security needs while making the best use of every taxpayer dollar. It would require the Government Accountability Office

to examine options for reducing service contracts, reducing the nuclear security enterprise, rebalancing force structure, and reducing or realigning our overseas presence.

It would also examine realistic, cost-effective ways to use pre-award audits to negotiate better prices for weapons systems and services.

Additionally, it would require an updated and comprehensive series of studies from Federally-funded research and development centers as well as a non-partisan, nongovernmental think tank. These would supplement the GAO studies and look at cost savings resulting from alternatives to current force structures and our nuclear posture.

Now, I know the other side is going to say that we have done these studies; there is plenty of information out there. But the reality is we operate in a different world, and we need an updated, comprehensive study that deals with our current situation in the world.

Madam Chair, let me be clear that while I do have strong reservations about the top-line spending level in this bill, my amendment would not cut from the top line at all. Instead, it looks at ways that we can make better policy choices; we can better allocate a limited set of resources down the line.

So, in the long term, I believe our defense spending levels are unsustainable, inefficient, and unnecessary. But we have to figure out how to cut that logically, comprehensively, with our national security in the center of that analysis.

So my amendment is a thoughtful solution to give us some of the data we need. I urge my colleagues to support the amendment.

Madam Chair, I reserve the balance of my time.

Mr. THORNBERRY. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Madam Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished Republican leader.

Mr. MCCARTHY. Madam Chair, the NDAA has been a bipartisan bill for the last 58 consecutive years. In those decades, control of Congress changed hands many times, with Democrats in the majority and Republicans in the majority. Both parties maintained a consistent motto: The troops come first. The troops come before politics. We are making history this week because that all changed.

But not in the Senate, where the National Defense Authorization Act, the NDAA passed with bipartisan support, not just Republicans, but CHUCK SCHUMER voted for it as well; 86 Senators.

But it is not being continued in the House, not under this majority. The NDAA was a test for this new majority. It was a test of whether they could put their radicalism aside and work across the aisle to do what was right for the country. The Democrats, or should I

say, many call themselves socialist Democrats, failed that test.

After weeks of infighting they brought yet another partisan bill to the floor. So this year's NDAA, at least the House version, will not and cannot be bipartisan.

Now, let me give you a couple of reasons why:

First, the bill is filled with poison pills and rife with flaws. Here are some of the most harmful ones.

It makes it tougher to recruit and retain effective soldiers and negatively impacts military families. This bill cuts an astonishing \$1.2 billion from the military personnel accounts.

Terrorist attacks still threaten us and threaten the homeland, but Democrats would close GTMO and, against all common sense, bring some of the world's worst and most dangerous terrorists to the United States, instead of keeping them where they belong.

Madam Chairwoman, it is going to be quite interesting history when you cast this vote, and when these terrorists come to the homeland, how you answer to your constituents that you cast that vote to make that happen.

The humanitarian crisis on the southern border continues; so does the Democrats refusal to address it. They are working to stop construction on the border and, worse, placing severe restrictions on the military's traditional mission to support border security.

Democrats have spent the last 2 years accusing President Trump of being a Russian agent and telling us how big a threat Putin is. But what does the NDAA do? It actually empowers Russia and China, gives them an advantage.

Even when we worked with our NATO allies on what we would deal with when it came to nuclear weapons, they deny it inside this bill.

When it comes to hypersonics, you cut it. When it comes to the future of this country, you just put us in a weaker position.

□ 1000

Any way you look at it, this bill will not make America safer.

But the problems here go beyond bad policy ideas. The Democrats' partisan process is egregious. Let's just look at the facts.

This year, 439 amendments, a record, were made in order. You would think that would reflect bipartisan amendments. Why do you think it would reflect bipartisan? Because let's look at the last 2 years, and I can look at that because the gentleman on our side of the aisle who was chair at that time ran two NDAA bills. At the end of the day, the vote tally was way into the 300s, almost 400.

But how do you build something in bipartisanship? First, you start in committee. Then when it comes to the floor with all the other Members, you allow their amendments to come.

And those 2 years of those NDAA bills with Republicans in the majority,

do you know who had the majority of the amendments on this floor? The minority party. The minority party had the most amendments on this floor.

So of those 439, how was the minority party's voice heard in this new NDAA that now has become partisan? Fourteen percent. That is right. Fourteen percent of the amendments on this floor were allocated to the minority party, when history proves that we have done something different when somebody else was in charge.

But the most egregious of all of this was how they treated the rules that we fought for inside this House, that we had this body open. We are a country of the rule of law. We believe this House should work the same way.

So when I listened to the new Speaker talk about the changes in this body, one was a Consensus Calendar, that anybody who is elected to Congress, if they did their work, if they worked hard, if they were able to achieve more than 290 cosponsors on a bill, you should have a voice on this floor. I heard Members on both sides of the aisle say they could not vote for a Speaker unless somebody would agree to this. It was agreed to, and it was changed.

So when the moment came when a Member had done the work, when it met that threshold—and we know that threshold is hard to meet. That Member's name was Congressman JOE WILSON.

What did JOE WILSON put his effort, his sweat, and his tears in? What could he actually achieve by working on both sides of the aisle? It was the Military Surviving Spouses Equity Act. It would make it easier for spouses of service-members who died to receive military benefits. He did everything that the new rule said you had to do.

And what did this new majority do after they quashed any ability for amendments on the other side? They changed the rule that they just created.

My father would look at me. He would question my character if I gave somebody my word and I broke it. Not only did we give somebody our word, we actually changed the rules in this House.

JOE WILSON has 365 sponsors—not just supporters, but cosponsors. That is nearly this entire House. It qualified for the Consensus Calendar that Speaker PELOSI promised to create so the floor would be open to the best, and most of us agreed with that idea. It turns out that was just another broken promise by the majority.

I wonder if anyone on the other side will bring it up. I wonder if it will bother them that, in the moment that you told this body what the rules would be, and somebody achieved it for the military spouses, that you had actually changed the rule so it cannot be voted on.

I have seen a lot of things happen on this floor; I have seen a lot of things that embarrass me; but this is probably

one of the most shameful things I have ever seen a majority do.

The Democrat Socialists stripped the language from JOE WILSON's bill, discarded his legislation, and stuck the language into their own partisan NDAA that our Conference won't support. They put it into a bill that JOE WILSON can't even support after he did all the work, after they made promises not only to the Members of Congress, but remember what promise you made to the American public.

Our national security is not a game, but that is exactly how Democrats are treating it.

Madam Chair, this majority has reached new lows this week. They seem determined to prove to the American people week in and week out that they are incapable of governing responsibly.

They can walk out these doors; they can look down the hall; and they can see the Chamber on the other side taking up a similar bill that reaches 86 percent of the Senate voting "yes," with the leaders on the Republican and Democrat side agreeing to it, with the majority in the Senate not changing the rules that they laid out for the American public to see.

The NDAA for Fiscal Year 2020 will determine whether our military maintains its gains in readiness or languishes after years of progress.

The stakes of this year's defense budget are too high to be left to the wild fantasies to the left. It is time for them to stop the partisan games and send a message to the world that America is serious about protecting its interests, supporting our allies, and shaping the future of the international order for generations to come.

Madam Chair, I know what will happen on this floor today. History will be written about it. Fifty-eight years that this body has put troops first, this is not the history I want for this House. They will write about what happens today, but it won't be in a positive notion. What gets voted on today will not become law.

Madam Chair, I don't get into conference fights and debates. You can have differences within, but why make the troops suffer? How difficult is it to put the troops first?

There are moments for politics, and this is not one. This is not a moment to be proud. This is probably one of the lowest moments I have watched a majority use.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Ms. JAYAPAL. Madam Chair, I yield 1½ minutes to the gentleman from Washington (Mr. SMITH), the distinguished chairman of the Armed Services Committee.

Mr. SMITH of Washington. Madam Chair, meanwhile, back to a world that actually exists.

Talking about Ms. JAYAPAL's amendment, I think it is incredibly important because there is a problem going forward from the military that we have

seen on many issues. You take it piece by piece—you look at the nuclear enterprise; you look at the Air Force; you look at how many ships we want; you look at counterterrorism—and you add up all the money over the course of the next 20 to 25 years, and we don't get there.

And this is the worst thing that we can do to our troops is to set up a group of missions that we don't have the funds to prepare them for. That is the largest problem that I see. We here in Congress decide that they ought to be able to do more than they can do, and we don't have the money to provide for it.

That is why it is so important that we don't do what the minority leader just suggested we do, which is basically shut down as a body and say whatever the Pentagon wants, we just give it to them and hope that they figure it out.

We have a role to play in that process, to make sure that the money is spent well because—I know this is news to the other side—the Pentagon hasn't always been right. They haven't always spent their money well. And that is the understatement of the morning.

So we need to know: Where are they spending the money? How can we better understand that?

Where the nuclear enterprise is concerned, we are set to spend a lot of money. I know it is only 6 percent of the defense budget, but 6 percent of the defense budget is a lot of money. We need to better understand it.

I urge support for the amendment.

Mr. THORNBERRY. Madam Chair, I reserve the balance of my time to close on this amendment.

Ms. JAYAPAL. Madam Chair, I just want to say that this amendment is a smart, thoughtful way to think about how we reduce military spending over the long term without sacrificing national security.

And, Madam Chair, I don't understand when patriotism got linked to how much money we give to defense contractors. That is not my idea of patriotism.

Patriotism, to me, and protecting the troops means that we make sure that we do not send them into harm's way unless absolutely necessary, which means that we look at the threats of the future, we assess our response to that, and we take care of our troops. This bill does that in many, many, many, many ways.

I have squabbles, as you know, with the top-line spending number because I don't believe that being patriotic means we just continue to raise the amount of money that we give. I think we need to be thoughtful and comprehensive about what our national security looks like internationally.

And, Madam Chair, I also think that national security should mean how we treat people here in this country. If we send troops overseas and yet we cut their healthcare, we take away pre-existing conditions for their family members, we refuse to provide public

education, that is not helping our troops while they are overseas to worry about their families.

So national security is a big picture conversation. It is not about how much money we give to defense contractors.

This amendment is thoughtful. It says what we know about the future.

If a private corporation lost track of hundreds of millions of dollars, its shareholders would find that completely unacceptable. The reality is that we need to make sure we are thoughtful, and we should pass this amendment.

Madam Chair, I yield back the balance of my time.

Mr. THORNBERRY. Madam Chair, I yield myself the balance of my time.

Madam Chair, there is a train of thought, a political philosophy in the United States, at least since the sixties, that we are the problem, that the world would be a better place if we reduced our military, if we were weaker, if we did less; we are the problem.

In one political convention, Jeane Kirkpatrick called it the "blame America first" approach, and I think we are seeing elements of that philosophy in this amendment, because this amendment requires a bunch of studies about how we cut stuff.

Now, it doesn't really talk about, okay, what are our adversaries doing. It doesn't really talk about the challenges in meeting the security needs of our neighborhoods, how we prevent terrorists from coming to America and blowing us up, how we prevent the Russians, the Chinese from doing a variety of things, the Iranians, North Korean missiles. No, it just talks about, okay, what can we do to cut us.

And, specifically, section (a)(1)A asks for studies on options for reducing the Nuclear Security Enterprise; B, options for reducing service contracts; C, options for reducing special operations forces; D, options for reducing overseas military presence; F, options for replacing military personnel with civilian personnel. It is all about cuts.

I understand that there is that approach, but that approach has not been what has guided the broad majority of American political leadership for the last 70 years, because that approach has been that America needs to be strong. We are not perfect. Absolutely, the Pentagon is not as efficient as it should be, no question. But the idea is we should be strong and we have to pay attention to what adversaries are doing. That is not the approach that this amendment takes.

One other point, I think that Chairman SMITH made a very important point a while ago, and that is one of the worst things we can do is send men and women out on missions without providing the support, the training, all that they need to, the best equipment, all that they need to perform that mission successfully.

□ 1015

We owe them that when they risk their lives. Yet, that is exactly what

this government, and I think there is blame on both sides, has done in the past.

The world did not get safer. We did not reduce the missions we asked them to do. Yet, the budget was cut by 20 percent. And what happened? More of them lost their lives. There are real consequences to cuts without taking into account a strategy and including what adversaries are doing.

The administration has, for the first time in a long time, a significant National Security Strategy. It is not perfect, but at least it is an approach to dealing with these things: Here is the strategy. Here are the resources we need to meet that strategy.

That is what they have given us. You can agree or disagree, but they have done that.

That is not what this amendment does. This amendment says cut. This amendment says, have America grow weaker and, somehow, the world will benefit. I don't think that is true.

Madam Chair, I am opposed to this amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. THORNBERRY. 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 gentlewoman from Washington will be postponed.

AMENDMENTS EN BLOC NO. 17 OFFERED BY MR. SMITH OF WASHINGTON

Mr. SMITH of Washington. Madam Chair, pursuant to House Resolution 476, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 17 consisting of amendment Nos. 432, 433, 434, 435, 436, and 439, printed in part B of House Report 116-143, offered by Mr. SMITH of Washington:

AMENDMENT NO. 432 OFFERED BY MISS RICE OF NEW YORK

At the end of subtitle G of title X, insert the following:

SEC. 10. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE SUPPORT FOR THE DEPARTMENT OF HOMELAND SECURITY OPERATIONS ON THE SOUTHWEST BORDER OF THE UNITED STATES.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of ongoing and planned future Department of Defense support for Department of Homeland Security operations to secure the southwest border of the United States.

(b) REPORT AND BRIEFING.—

(1) BRIEFING.—Not later than 180 days after beginning to conduct the review required under subsection (a), the Comptroller General shall provide to the Committees on Armed Services and Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and Homeland Security of the House of Representatives a briefing on the review.

(2) REPORT.—Subsequent to providing the briefing under paragraph (1), the Comptroller General shall submit to the Committees on Armed Services and Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and Homeland Security of the House of Representatives a report on the review.

AMENDMENT NO. 433 OFFERED BY MR. STANTON OF ARIZONA

At the end of subtitle G of title V, add the following new section:

SEC. 567. INCLUSION OF QUESTION REGARDING IMMIGRATION STATUS ON PREPARATION COUNSELING CHECKLIST (DD FORM 2648).

Not later than September 30, 2020, the Secretary of Defense shall modify the preparation counseling checklist for active component, active guard reserve, active reserve, full time support, and reserve program administrator service members (DD Form 2648) to include a specific block wherein a member of the Armed Forces may indicate that the member would like to receive information regarding the immigration status of that member and expedited naturalization.

AMENDMENT NO. 434 OFFERED BY MR. TAKANO OF CALIFORNIA

At the end of subtitle C of title V, add the following new section:

SEC. 530. NOTIFICATION TO SECRETARY OF HOMELAND SECURITY OF HONORABLE DISCHARGES OF NON-CITIZENS.

(a) NOTICE REQUIRED.—The Secretary of Defense shall provide the Secretary of Homeland Security with a copy of the Certificate of Release or Discharge from Active Duty (DD Form 214) for each individual who is not a citizen of the United States who is honorably discharged from the Armed Forces so the Secretary of Homeland Security may note such discharge in an I-213 Record of Deportable/Inadmissible Alien for that individual.

(b) DEADLINE.—The Secretary of Defense shall provide each notice under this section not later than 30 days after the date of such discharge.

AMENDMENT NO. 435 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle G of title V, add the following:

SEC. 567. COUNSELING TO MEMBERS WHO ARE NOT CITIZENS OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary concerned shall furnish to covered individuals under the jurisdiction of that Secretary counseling regarding how to apply for naturalization.

(b) COVERED INDIVIDUAL DEFINED.—In this section, the term “covered individual” means a member of the Armed Forces who is not a citizen of the United States.

AMENDMENT NO. 436 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle C of title V, add the following:

SEC. 530. PROHIBITION ON INVOLUNTARY SEPARATION OR DEPORTATION OF MEMBERS OF THE ARMED FORCES WHO ARE DACA RECIPIENTS OR HAVE TEMPORARY PROTECTED STATUS.

(a) DACA.—No covered person who has received deferred action under the Deferred Action for Childhood Arrivals program of the Department of Homeland Security, established pursuant to the memorandum of the Secretary of Homeland Security dated June 15, 2012, may, solely on the basis of such deferred action, be—

(1) involuntarily separated from the Armed Forces;

(2) placed into removal proceedings; or

(3) removed from the United States.

(b) TPS.—No covered person who has temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), may, solely on the basis of such status, be—

(1) involuntarily separated from the Armed Forces;

(2) placed into removal proceedings; or

(3) removed from the United States.

(c) COVERED PERSON DEFINED.—In this section, the term “covered person” means—

(1) a member of the Armed Forces; or

(2) an individual who was discharged from the Armed Forces under honorable conditions.

AMENDMENT NO. 439 OFFERED BY MR. POCAN OF WISCONSIN

At the end of subtitle C of title V, add the following new section:

SEC. 530. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) SHORT TITLE.—This section may be cited as the “Restore Honor to Service Members Act”.

(b) IN GENERAL.—In accordance with this section, and in a manner that is consistent across the entire Department of Defense, the appropriate discharge boards shall review the discharge characterization of covered members at the request of a covered member, and shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted.

(c) APPEAL.—A covered member, or the representative of the member, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(d) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (a), or for each covered member who was honorably discharged but whose DD-214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or their representative a revised DD-214 form that does not reflect the sexual orientation of the member or reason for initial discharge.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate discharge board” means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term “covered member” means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term “discharge characterization” means the characterization under which a member of the Armed forces is discharged or released, including “dishonorable”, “general”, “other than honorable”, and “honorable”.

(4) The term “representative” means the surviving spouse, next of kin, or legal representative of a covered member.

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Washington (Mr. SMITH) and the gentleman from Texas (Mr. THORNBERRY) each will control 10 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from South Carolina (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Madam Chair, I rise in support of my amendment to expand and improve the defense access

roads program. This critical program allows the Defense Department to construct, replace, and maintain roads that lead to military installations.

My amendment will improve the program by allowing DOD to construct and maintain flood management infrastructure, such as culverts and storm drains, and to fortify the roads that are projected to be impacted by sea level rise.

This authority is critical to bases in the Lowcountry, such as Parris Island, which is increasingly vulnerable to projected flooding.

Additionally, this measure will expand the program to include roads to airports or seaports that are deemed necessary for our national security.

Given Charleston's indispensable role in supporting the rapid deployment of our servicemembers and their equipment, it is essential that our local infrastructure is maintained and reinforced.

Madam Chair, I urge my colleagues to join me in supporting this amendment.

Mr. THORNBERRY. Madam Chair, I would inform the Chair that I have only myself to speak on this amendment. I don't know if the chairman has other speakers.

Mr. SMITH of Washington. Madam Chair, it is just me. I am going to close, so I reserve the balance of my time.

Mr. THORNBERRY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, let me start in a similar way that I started 2 days ago, and that is to express my appreciation to the staff, which has done a terrific job of wading through a ton of issues, a lot of paper, in bringing this bill to the floor.

I also want to express my particular appreciation to some unsung heroes, and those are the folks in the legislative counsel. Members and staff come up with these great ideas. Well, it takes the professionals to actually get that down on paper in legislative language in a timely way so that we can deal with it here on the floor or in committee or subcommittee, wherever it is. They do a magnificent job, and I don't think they get enough attention for the work that they do.

In addition, I want to express my appreciation to Chairman SMITH and to all the members of the Armed Services Committee for their commitment, for not just the work they put into it, but for their dedication and commitment to the country's national security.

There have been some inferences, and even more than inferences, on the floor that there is some sort of political maneuvering or games going on. I have not seen that in the Armed Services Committee. I believe, to a man and woman, every member of that committee is sincerely dedicated to doing the right thing for the troops and for the country's national security.

The truth is, together, we have done a lot of good work over the years, 58

straight years. In recent years, we have together grappled with the problem that we were discussing a few moments ago, a readiness crisis that resulted in the highest number of aviation deaths in 6 years last year and an increasing number of accidents.

Together, we grappled to turn the corner and do a better job. There is a lot of pride in what the committee together has done over the years.

There is concern, at least among the Members on my side of the aisle, that a lot of that progress we have made together stands a chance of slipping backward with this bill.

We have spent 3 days going through hundreds of amendments. A lot of times, we don't talk about the core of the bill. Let me give some examples of the concerns that I have about the reductions in authorization in the underlying bill that make a real difference.

For example, the underlying bill cut \$295 million from aircraft carrier procurement, leading to a 1-year delay in the construction of the next carrier. We need 12 carriers. We have 11. We are on a path to nine. As a result of this bill, we are going to delay by another year getting another carrier.

It cuts \$155 million from fast inshore attack craft mine countermeasures. Within the last 2 days, we have had some of these small boats in the Persian Gulf threaten British tankers, yet this bill cuts \$155 million from the sort of thing that deals with that.

A lot of us are concerned about what the Russians and the Chinese are doing in hypersonics. A number of people think they are ahead of us in a number of respects. This bill cuts \$20 million from hypersonic wind tunnels and infrastructure. It makes it harder for us to catch up.

This bill cuts \$261 million from 5G next-generation communications. These funds were supposed to go to sites across the country to kick-start domestic innovation and explore 5G applications in military depots, seaports, and defense manufacturing. 5G is a big deal for the military, and we are competing with the Chinese especially. Yet, the bill cuts \$261 million from what the administration requested.

It cuts \$123 million from F-15 spares and repair parts. Twenty-eight of these aircraft are grounded today. The average age of the fleet is 35 years. Yet, this bill cuts \$123 million from the spare parts to get those planes flying again. I think that is a mistake.

The bill cuts \$42 million for a missile defense test that was approved, on a bipartisan basis, for the SM3 Block 2A missile.

It cuts \$376 million from next-generation OPIR, which is the new satellite constellation to help warn against missile threat.

Specific, concrete things—these are not numbers out of the air. These are specific things where Members are concerned that it leads to sliding backward on readiness or not making the progress that we need to make when it comes to our adversaries.

That was the bill coming out of committee. Then, as we have heard, the bill took a disturbing turn on its way to the floor. I won't repeat the numbers about the Rules Committee. The statistic that concerns me the most, frankly, is that, of the amendments made in order that were contested—in other words, there was a debate; there was a difference of opinion; it was not agreed to—of those amendments that were made in order, one was a Republican amendment, MIKE TURNER's amendment on low-yield nukes. That was the only Republican opportunity to shift the bill in a different direction.

Then, Madam Chair, I note that the Armed Services Committee has put out a press release that is titled "Democratic Priorities in the FY20 NDAA."

The first bullet says, "This is the first time in history that HASC has cut \$17 billion from the President's budget."

"First time in history," not exactly a way to maintain a bipartisan approach to national security when the majority is boasting that, for the first time in history, they are cutting a President's request more than ever.

I turn to page 4: "Accelerates Closure of Guantanamo Bay Detention Facility. . . . Eliminates arbitrary statutory restrictions on transfer of detainees from Guantanamo Bay."

This restriction was put into law about 10 years ago under a Democratic majority and with President Obama in the White House. It prevented GTMO detainees from being transferred to the U.S. That was taken out in this bill. Not exactly the way to build a bipartisan majority.

On page 6, the headline is "Protects Against Nuclear Catastrophe." Underneath, it says, "Prohibits deployment funding for low-yield nuclear warheads," and, "Reduces requested funding for NNSA nuclear weapons programs by \$608 million." Down a little lower, it says, "Cuts \$103 million from the Ground-Based Strategic Deterrent."

So, we are going to prevent nuclear catastrophe by cutting ourselves. It doesn't talk about what the Russians, Chinese, Iranians, North Koreans, anybody else are doing. We prevent nuclear catastrophe by cutting ourselves.

That is the trend that this bill has taken as it has approached the floor.

I realize that there are various points of view within the Democratic Caucus. I note a political article that says Congressional Progressive Caucus leaders "are demanding a string of concessions from Speaker PELOSI and her top lieutenants."

That is the concern, I think, that many of us have.

Madam Chair, I would say two things.

One is, unfortunately, this year in the House, we have spent a lot of time on messaging bills that are never going to be considered by the Senate, will never get to the President. I don't want the NDAA to turn into a messaging

bill, where we can go home and brag about something we voted, but those provisions have no chance of becoming law.

Secondly, and lastly, I would say there is a lot of good in this bill. I have talked about some of the not so good, in my view. There is a lot of good in this bill. There always is in an NDAA, in a bill this big, good and bad. There is a lot of good, and a lot of Members on both sides have contributed a lot of good, but the direction it has taken is not for the good.

I would suggest that Members who do care about a strong military, about doing the right things for our troops and for our American national security, consider very carefully their vote on final passage when it comes to that time.

Madam Chair, I yield back the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield myself the balance of my time.

First of all, I want to echo the comments of the ranking member and thank our staffs for the work on this.

I don't have the statistics in front of me, but there are literally thousands of proposals for this bill that are presented at the beginning of the committee process, working through to the full floor.

Both staffs, Republican and Democratic—I think we are the only committee in Congress, or in the House, at any rate, that actually shares staff. We share the budget. We don't just divide it up.

So, when I say thank you, I am thanking the Republican and Democratic members of staff. They do an enormous amount of incredible work to produce this product.

I believe, as I will mention later, that we upheld the bipartisan tradition of this bill, worked with Republicans and Democrats, and produced a very good product. But we must acknowledge the incredible hard work that is done by the people sitting behind me, a lot of people over in the building and a lot of people over there. I appreciate that.

I also appreciate the working relationship that I have with the ranking member. When I was the ranking member and he was the chair, we worked together on a lot of issues. We have continued to do so. I appreciate that leadership, and I appreciate his commitment to the defense bill.

□ 1030

I think this is a good bill. I just want to mention a few things in it that are positive.

First of all, at \$733 billion—and, again, more on that later—this is the largest defense bill in the history of the country. But within this bill, we also focus on cutting waste and dramatically increasing accountability. I think the taxpayers, and, yes, the troops, want to make sure that the Pentagon doesn't just spend money, but that they spend it well.

We finally live up to the rhetoric and we give the widows the money that they have been asking for. Just about every single Republican Member of Congress is a cosponsor of this bill—JOE WILSON is the prime sponsor—that fully funds widows' benefits. After cosponsoring it for 9 years, the Republicans were in charge and doing nothing about it, we actually put it in the bill and we are going to pass it. And yet, to hear them say that it is somehow a bad thing to basically do what they have been emptily promising for 8 years, I think, is a very big positive on the bill.

We have a tenant's bill of rights to protect families and the housing that we have heard so many complaints about. We step up to try to protect those families.

We have paid family and medical leave for all Federal employees, including all DOD employees.

We have provisions to protect our military and our communities from the dangerous chemicals in PFAS that we have learned so much about.

We make sure that troops get the pay raise that they deserve: a 3.1 percent pay raise.

And, yes, we also have provisions to try to make sure that the children who are being held by DOD within the migrant community are adequately protected.

I think that is all important. And yet, for all of that, the Republicans oppose the bill, and it raises the question: Why?

Earlier on, the chairman quoted me from a few years ago when we opposed the bill. As I said, opposing the bill doesn't mean you are against our troops, and I stand by that. Now, it is interesting to note that a large number of Members on that side at the time said that much and much more: that to oppose this bill means you are against national security and against those troops.

To his credit, the then-chairman, Mr. THORNBERRY, didn't say that. What he said was: Look, on the defense bill, you can always have a bunch of excuses for why you don't support it. But, at the end of the day, if you don't support it, you are not supporting funding our military and you are not supporting giving our troops what they need.

That is now what, en masse, the Republicans are going to do.

So the question is: Why? What is their list of excuses?

It starts with that top line. And this was their most brilliant political move.

It has been quoted that Chairman Dunford said that we needed to have inflation, plus 3 to 5 percent. That was in a newspaper article. I thought about that. That is not actually what they said. Secretary Mattis was very clear. Once we got the deal last year to get to \$716 billion, he said we need inflation. That is what I remember. But how do we know that is true?

Chairman Dunford and Secretary Mattis, a year ago, proposed \$733 bil-

lion. So if they believed we needed inflation, plus 3 to 5 percent, are they just bad at math? Did they not have a calculator available to figure out that \$733 billion isn't that? No. It is what they said they needed.

I think we now know why the Republicans at the last minute said: No, we have to have \$750 billion: so they can come up here and claim that we cut stuff. That is just ridiculous.

There are two great examples.

The distinguished minority leader—it is possible that he is just this stupid, but I don't think it is true—said that we cut hypersonic weapons. How much did we cut them by? We increased them by \$300 million over last year.

But, yes, we reduced them. It wasn't actually a hypersonic weapon, but we made a reduction in the \$750 billion request. So you create the \$750 billion request and then you say you are cutting. We are not cutting, we are increasing. Which is why I say, if we had come in at \$750 billion, they would have said \$800 billion and then stood up there and accused us of everything else that we cut.

And the personnel account is another great example: a \$1.2 billion cut. Last year, in their budget, they cut the personnel account by \$1.7 billion because the Pentagon frequently asks for personnel funds that are not justified. That is our job.

So only in the minds of a Republican can a \$733 billion defense budget, that is an increase over last year, be a cut. There are not cuts to this budget in that way. We fully fund the military.

And then we hear their argument about one nuclear weapon that we are not going to field. You heard what they said: it is unilateral nuclear disarmament.

To cut one weapon when we have thousands of nuclear weapons?

There was no way the Republican Party was ever going to vote for a bill put together by Democrats. And these people behind me, they worked their butts off to make this bipartisan. What the minority leader said is the biggest insult I have ever heard to the members of the staff in 23 years on this committee. To dismiss them as partisan, not interested in national security is an incredible insult to the hard work that they do, and nobody in this House, Republican or Democrat, should let a statement like that stand.

We have put together a good bill. The reason Republicans oppose it is for purely partisan reasons. And, that is, they want to be able to give speeches, like the one of the minority leader who said Democrats don't care about national security. We care about national security. In fact, I will tell you, our bill isn't just good, it is better than the ones that the Republican Party have put together.

We believe the Pentagon should be accountable. They said \$733 billion. As recently as December of this year, the ranking member put an op-ed in *The Wall Street Journal* saying we had to

have \$733 billion. And now, all of a sudden, \$733 billion isn't just not the right number, "it is socialism," "it is destroying the world as we know it," "we can't support it." That is ridiculous. It is a partisan argument. It is what the minority does. But it has never been what we have done on this bill.

I believe in the bipartisanship of this committee. And as angry as I was, sitting there listening to the minority leader insult all of the people who have worked to make this bill bipartisan—and you can oppose it, that is fine—but to say that we don't care about national security, that we are a bunch of socialists who don't want to work with Republicans, is a bald-faced lie.

And the last statistic on that is the amendment thing—and I love this—we made more amendments in order on this defense bill this year than ever. The Republicans actually submitted a lot fewer amendments than we did. We submitted 480, they submitted 201. And then we actually agreed with the overwhelming majority of their amendments and put them in en bloc packages. They didn't agree with the overwhelming majority of our amendments, so we didn't put them in en bloc packages, which gives them the statistic that only one of their amendments was debated.

So by working with them and agreeing with them to include 50 percent of their amendments—the most amendments ever offered—that is partisan. And I can't help but feel like they were setting us up. They didn't want to work with us. No matter how hard we tried, no matter how many hours we spent working with them, they wanted to come to the floor today and say that Democrats don't care about national security.

That is shameful. I am going to get over it. We are going to work past it—I think national security is too important to get petty about these things—and we are going to keep working together.

The good news is that we have a very good bill. It is accountable. It doesn't just give the Pentagon money. Yes, we eliminate senseless discrimination by stopping the ban on transgender troops.

I will say the other side is wrong. They have voted against the defense bill before. They voted against it in 2010 because we repealed Don't Ask, Don't Tell. They were wrong then and they are wrong now. Discrimination in the military doesn't make us safer. Mindless bigotry doesn't make us safer.

I believe strongly in this bill. The good news is, we got this, we are going to pass it, even if the other side is going to decide to play partisan politics.

Madam Chair, I urge support for the bill, and I yield back the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. POCAN. Madam Chair, I rise today in support of Amendment No. 439 which is

based upon legislation that I have introduced every Congress since I was elected in 2012, the "Restore Honor to Service Members Act".

This amendment will require the Department of Defense to correct the military records of service members discharged solely because of their sexual orientation. Importantly, amending service members' discharge characterizations to an honorable discharge will enable impacted individuals to access the benefits they earned and to which they would otherwise be entitled. It is a significant moment for the more than 100,000 Americans estimated to have been discharged from the military since World War II due to their sexual orientation.

I thank Chairman SMITH for his strong support of this amendment, Paul Arcangeli—Staff Director of the House Armed Services Committee—for his assistance, and Leslie Zelenko of my staff who has worked tirelessly to ensure the success of the amendment before us today.

Additionally, I would like to extend my deep gratitude to the Human Rights Campaign, the Modern Military Association of America, and VoteVets, for supporting this amendment, and Representatives KATIE HILL, CHRIS PAPPAS, MARK TAKANO, SETH MOULTON, JAMIE RASKIN, CHUY GARCÍA, ALAN LOWENTHAL, BARBARA LEE, BILL FOSTER, BONNIE WATSON COLEMAN, ELEANOR HOLMES NORTON, SEAN PATRICK MALONEY, BRIAN HIGGINS, ED CASE, PAUL TONKO, DENNY HECK, JAN SCHAKOWSKY, VERONICA ESCOBAR, ROBIN KELLY, JULIA BROWNLEY, KURT SCHRADER, STEVE COHEN, ILHAN OMAR, SHEILA JACKSON LEE, SUZAN DELBENE, ANTHONY BROWN, JOE KENNEDY, DONNA SHALALA, SUZANNE BONAMICI, and KATIE PORTER for cosponsoring. I would also like to recognize Senator BRIAN SCHATZ and Senator KIRSTEN GILLIBRAND for championing this legislation in the Senate. Without this outpouring of support, today would not have been possible. Again, I thank them.

Madam Chair, I urge all of my colleagues to support the Restore Honor amendment, and I urge a yes vote in favor of the en bloc amendment into which it has been packaged.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The en bloc amendments were agreed to.

Mr. SMITH of Washington. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MCCOLLUM) having assumed the chair, Mrs. DEMINGS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2500) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

NEVER FORGET THE HEROES: JAMES ZADROGA, RAY PFEIFER, AND LUIS ALVAREZ PERMANENT AUTHORIZATION OF THE SEPTEMBER 11TH VICTIM COMPENSATION FUND ACT

Mr. NADLER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1327) to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 1327

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 "Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act".

SEC. 2. SEPTEMBER 11TH VICTIM COMPENSATION FUND OF 2001.

(a) AUTHORIZATION AND FUNDING.—Section 410 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) in subsection (c), by striking "\$4,600,000,000" and all that follows through "expended" and inserting "such sums as may be necessary for fiscal year 2019 and each fiscal year thereafter through fiscal year 2092, to remain available until expended"; and

(2) in subsection (e), by striking "Upon completion of all payments under this title" and inserting "On October 1, 2092, or at such time thereafter as all funds are expended".

(b) EXTENSION OF LIMITATION ON CLAIM FILING.—Section 405(a)(3)(B) of the Air Transportation Safety and System Stabilization Act (40 U.S.C. 40101 note) is amended by striking "the date that is 5 years after the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act" and inserting "October 1, 2090".

(c) COMPENSATION REDUCED BY SPECIAL MASTER DUE TO LACK OF FUNDING.—Section 406(d)(2) of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended by adding at the end the following:

"(D) COMPENSATION REDUCED BY SPECIAL MASTER DUE TO INSUFFICIENT FUNDING.—

"(i) IN GENERAL.—In any claim in Group B as described in section 405(a)(3)(C)(iii) in which, prior to the enactment of the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act, the Special Master had advised the claimant that the amount of compensation has been reduced on the basis of insufficient funding, the Special Master shall, in the first fiscal year beginning after sufficient funding becomes available under such Act, pay to the claimant an amount that is, as determined by the Special Master, equal to the difference between—

"(I) the amount the claimant would have been paid under this title if sufficient funding was available to the Special Master at