

her many years of service to our country.

OPPOSING ACTION IN THE MIDDLE EAST

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, along with the American people, I oppose any reckless action that would lead us into another endless war in the Middle East. And, yet, we now have thousands more troops in the Middle East than we had before the President unilaterally made the decision to kill Soleimani.

My prayers are with each and every American serving in harm's way to keep us safe.

While I do not mourn the death of Soleimani, a terrorist with American blood on his hands, the American people deserve to know how this will make us safer. How will it make us safer?

Unfortunately, the President provided little clarity in his statement, so we still don't know how this action will affect our Nation's security.

I am against war with Iran. Another endless war in the Middle East would be a grave mistake.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 535, PFAS ACTION ACT OF 2019

Ms. SCANLON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 779 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 779

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now 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 the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the

five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 1 hour.

Ms. SCANLON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Arizona (Mrs. LESKO), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Ms. SCANLON. Mr. Speaker, on Tuesday, the Rules Committee met and reported a structured rule for House Resolution 779, providing for consideration of H.R. 535, the PFAS Action Act of 2019.

The rule provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule self-executes a manager's amendment by Chairman PALLONE, makes in order 22 amendments, and provides one motion to recommit.

Mr. Speaker, I am pleased to start the new year and the new congressional session with our first legislative action being a rule for a comprehensive, bipartisan bill to address a threat to our constituents, both across Pennsylvania and across the country.

Per- and polyfluoroalkyl substances, commonly known as PFAS, have been manufactured and used in the United States for over 60 years. These chemicals are found in everyday products like food packaging materials, cleaning products, nonstick cookware, stain- and water-resistant materials, firefighting foams, and more.

There are thousands of PFAS chemicals, but two of the most common and

most notorious are PFOA and PFOS, substances used to make Teflon and Scotchgard, respectively.

PFAS are known as forever chemicals. They do not break down, and they remain in the environment and other living organisms for decades. PFAS chemicals are made of one of the strongest carbon bonds possible. As a result, these substances are extremely persistent in the environment and are able to be absorbed by humans and wildlife.

PFAS have long been linked with various forms of cancer, including kidney, liver, and pancreatic cancers; weakened immune systems; low birth weight; infertility; impaired childhood development; and other diseases.

Not only are these substances resilient and harmful, but they are now found in the blood of over 99 percent of Americans.

PFAS contaminate our environment in a variety of ways, particularly through landfills and wastewater runoff sites. Once these chemicals are introduced into an area, they leach into the soil and groundwater, becoming immediate threats to surrounding life.

Analysis by the Environmental Working Group found that more than 1,500 drinking water systems in the United States may be contaminated with PFAS, affecting up to 110 million Americans from drinking water alone.

In the Commonwealth of Pennsylvania, 17 sites have been identified as containing PFAS contamination. Some of these sites are water utilities and civilian airports, but additional sites like waste incinerators were included as well. People living in close proximity to waste incinerators already face a host of environmental risk factors from polluted air and water. Additional contaminants from PFAS adds insult to injury for these neglected and often economically distressed areas.

The Department of Defense has identified over 400 military sites across the U.S. that use or were suspected of having used PFAS in firefighting foam. Montgomery County, Pennsylvania, is home to two of these former bases where firefighting foam leached into the groundwater after years of use. These bases are no longer active, but the effects from PFAS will be felt by residents for generations to come.

My friend and colleague, Congresswoman MADELEINE DEAN, a founding member of the PFAS Task Force, helped secure a grant to study the health effects of PFAS contamination in this area. I commend the work that she is doing to protect her constituents and to ensure that they have a water supply that they can rely on for generations to come.

The fact of the matter is that the Federal Government has known about the dangers presented by PFAS for years. The chemical industry has known for even longer and, unsurprisingly, has fought tooth and nail against efforts to regulate their distribution and use.

Despite this, the only action taken against PFAS was in 2006, when the EPA instituted a voluntary phaseout of PFOA and PFOS instead of instituting any stronger measures. Recently, the EPA has declined to promulgate standards on PFAS despite acknowledging the dangers they present to human and environmental health.

Just as foxes shouldn't guard the henhouse, chemical companies shouldn't be trusted to regulate themselves. Research on the additional thousands of PFAS outside of PFOS and PFOA can and should continue, but thus far, all research has confirmed that PFAS are harmful.

We would not eat food that could potentially cause us harm without understanding the full range of ramifications first. Why should we put those risks on our children without first knowing how PFAS will affect them?

H.R. 535 will provide protections to our communities in the immediate term and ensure that there are enforceable standards in place for the long term. This bill would require the EPA to use tools under existing environmental statutes to require cleanup of sites contaminated with PFOA and PFOS, set air emission limits, prohibit unsafe incineration of PFAS, and limit the introduction of new PFAS chemicals into the market.

Further, the PFAS Action Act will limit human exposure to PFAS by requiring a drinking water standard for PFAS that protects public health, particularly regarding the health of vulnerable groups like infants, children, and pregnant women.

Finally, the bill takes the necessary step of designating all PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act.

I would like to recognize and thank my colleague, Congresswoman DEBBIE DINGELL, for her hard work and tireless efforts to keep Americans safe from PFAS, as well as Congressman FRED UPTON and the other members of the Energy and Commerce Committee whose bills were incorporated into H.R. 535.

Mr. Speaker, I urge support for the rule and the underlying bill, and I reserve the balance of my time.

Mrs. LESKO. Mr. Speaker, I thank Representative SCANLON for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, H.R. 535, the bill before us today, lays out an aggressive, antiscience regulatory framework for addressing perfluoroalkyl and polyfluoroalkyl substances, commonly known as PFAS, under several environmental statutes, including the Safe Drinking Water Act; the Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA; the Clean Air Act; and the Toxic Substances Control Act.

This is an unprecedented way of conducting science, counteracting decades

of U.S. environmental policy and likely compromising public safety, public health, environmental protection, and national defense efforts.

This bill requires the Environmental Protection Agency, EPA, to designate all perfluoroalkyl and polyfluoroalkyl chemical compounds as hazardous substances within 1 year of enactment of this bill. Since the enactment of CERCLA, Congress has never—let me repeat, never—statutorily mandated a substance's designation. That designation shall be left to the regulatory process, allowing for notice, public input, and scientific review and analysis.

Designation as a hazardous substance under CERCLA triggers a wide variety of notifications and response actions. For example, a release of the designated hazardous substance chemical may require the polluter to notify the entire populace in the area and/or government entities and may trigger cleanup/abatement requirements.

Small communities are not going to be able to afford it. It also attaches strict and retroactive liability without a liability shield for innocent parties that acted according to the law.

Not only does this bill mandate the designation of the entire class of PFAS chemicals as hazardous air pollutants under the Clean Air Act, but it also designates the entire PFAS class under CERCLA. That kind of designation under CERCLA, coupled with the other features of this bill, would amount to a de facto ban of all PFAS, including the many lifesaving products that incorporate PFAS.

However, I don't hear my Democratic colleagues here talking about the PFAS chemicals that are helping people. For instance, the type of PFAS used in the device in this poster next to me is made by Gore of Gore-Tex fame. The device plugs a hole in a baby's heart. Again, these devices help save the lives of babies born with holes in their hearts. If EPA is forced to designate the entire class of PFAS as hazardous material, think about how many parents will have to think twice and may suddenly feel conflicted in giving their babies lifesaving surgery using devices like this or similar medical devices.

We cannot classify an entire class as hazardous when, in fact, there are only some bad actors.

Gore's medical products division is centered in Flagstaff, Arizona. I represent Arizona, and they have a campus in north Phoenix, which is in my district. This campus has about 700 employees making medical products. As a whole, Gore has approximately 2,300 employees in Arizona engaged in the research, development, and manufacturing of medical devices.

I had the opportunity to tour Gore and its medical products division, where I got to see firsthand the creative, innovative, and technology-driven solutions they are cultivating to help cure medical conditions for Amer-

icans. These are FDA- and scientifically approved medical devices, yet this bill threatens them and threatens the American people. However, H.R. 535, as amended, mandates multiple aggressive actions based on a woefully incomplete scientific understanding of health effects for this diverse class of more than 5,000 chemical compounds.

We know that PFAS are chemicals used in numerous consumer products and industrial processes. They are resistant to heat, oils, stains, grease, and water. Those properties make them important to many products and processes in commerce, such as firefighting foam, cellphones, medical devices, Kevlar, semiconductors, solar panels, and chlorine, and even in our own Department of Defense, including F-16s.

I have Luke Air Force Base in my district. They have trained F-16 pilots for years. Now, they are switching over the F-35s, but they still train F-16s. This is important to our national defense.

The class of PFAS chemicals numbers more than 5,000. Of those, only about 29 have developed scientific data and methods. That is 29 out of 5,000.

PFAS are a diverse family of chemicals, which includes a broad range of substances with different physical, chemical, and toxicological properties and uses. Hence, the hazard and risk profile of various PFAS are very different.

□ 1230

It is neither scientifically accurate nor appropriate to group all PFAS together or take a one-size-fits-all regulatory approach for this wide range of substances.

We all want to ensure American citizens are not exposed to dangerous chemicals. We want to do it sooner rather than later. However, my Republican colleagues on the House Energy and Commerce Committee and many integral stakeholders have grave doubts that the Comprehensive Environmental Response Compensation, and Liability Act, commonly known as CERCLA, is the magic bullet for this problem. In fact, it may create more problems than meet the eye.

This is why numerous letters have been sent to Members of Congress from relevant stakeholders to urge Congress to oppose provisions that would circumvent existing, well-established regulatory processes, predetermine outcomes using inadequate scientific data, and potentially inhibit effective cleanup of those PFAS that are of the greatest concern.

Some of these stakeholders, such as the U.S. Chamber of Commerce, Airlines for America, Airports Council International—North America, American Chemistry Council, American Fuel and Petrochemical Manufacturers, American Petroleum Institute, National Association of Manufacturers, and more, are the folks dealing with the repercussions of what we do here in this Chamber. They are the ones representing hundreds of thousands of jobs

in all 50 States; yet, here we are telling the people who deal with these issues daily that, no, we don't care what they think. We are going to move ahead with a partisan and controversial alternative. We will cost thousands of Americans their jobs in a rush process instead of working together to do something meaningful.

The bill before us today creates an unrealistic condition that EPA must require manufacturers and processors to test each chemical in the entire PFAS class. This testing requirement applies to each of the 5,000 per- and polyfluoroalkyl substances, a task that will be enormously expensive and time consuming.

I agree, we need to prevent environmental contamination by these substances. That is why we have. We have recently made huge steps and taken big actions.

Just last month, we passed the fiscal 2020 National Defense Authorization Act and various spending bills, where several PFAS provisions were enacted into law. The laws we passed together on a bipartisan basis will start making a difference in communities immediately.

They required substantial reporting and public disclosures, created grants for drinking water treatment, authorized PFAS research and detection programs, phased out PFAS in firefighting foam used by the Department of Defense, and required cooperative cleanup agreements between the Department of Defense and States for Department of Defense facilities with PFAS contamination.

The bill signed into law reflected a bicameral compromise and omitted language from the House's version, H.R. 2500, that would have required the EPA to designate PFAS as hazardous substances.

We need, here, a consistent and credible approach to regulating these chemicals that leverages existing frameworks to access the potential risks associated with PFAS. Our actions should be based on existing administrative procedures and sound science.

However, last night, when we were reviewing this bill in the Rules Committee, of which I am a member, I heard numerous times from my Democratic colleagues that they do not trust the EPA, that they do not trust their workforce, apparently.

This baffles me. In fiscal year 2019, the EPA employed 14,172 individuals. These thousands of individuals go to work each and every day to work for EPA's mission. The mission of the EPA is to protect human health and the environment.

EPA has developed a PFAS Action Plan to address PFAS issues across multiple environmental mediums. As part of the plan, the Agency, among other things, has issued interim recommendations for addressing groundwater contaminated with PFOA and PFOS under Federal cleanup programs,

sent to the Office of Management and Budget for interagency review a proposed drinking water regulatory determination for PFOA and PFOS, and is working through the regulatory development process for listing the PFOA and PFOS as "hazardous substances" under CERCLA. Clearly, action is happening.

However, we need to be working together more. To quote the National Association of Manufacturers: "Congressional action should enable and encourage the appropriate agencies to carry out the risk-based approach established in existing U.S. environmental law and policy. Congress should prioritize the cleanup of contaminated sites to protect communities. Congress should also provide oversight to ensure a coordinated and timely government response and appropriate the funding necessary to support sound scientific research and the management, mitigation, and ongoing monitoring of specific PFAS"—not all PFAS.

However, this bill cannot pass the Senate and cannot become law—and my Democratic colleagues know that—while the bipartisan Senate-passed language, as included in the Senate version of the NDAA, could be signed into law.

The Republican-supported substitute amendment that was introduced in committee markup consisted of the Senate-passed language on PFAS. It would still require the EPA to issue regulations covering PFAS, require the EPA to issue drinking water regulations covering PFAS, and require the EPA to use appropriate science in issuing these regulations. It would eliminate the CERCLA/Superfund provisions contained in this bill because the Senate will not pass them.

Why can we not pass something that could help improve countless lives and that we know that the Senate will take on and pass?

We should be promoting a consistent, comprehensive approach for assessing and regulating specific PFAS that takes into account existing regulatory frameworks. If Congress acts in this area, it should utilize these frameworks to ensure consistent, science-based regulatory approaches, transparency, broad stakeholder input, and enforceable regulations. That is the way we can get something meaningfully passed through both Chambers and signed into law.

We need to pass a bill that would encourage innovation and production of new chemicals to replace existing chemicals in commerce, not disincentivize it, which this bill does.

We need to ensure our constituents are not exposed to dangerous chemicals.

We need to do our constitutional role in overseeing Federal agencies; however, we should not be doing so in a way that would make regulation impractical, eliminate the use of medical-saving devices, or tie the hands of the Department of Defense.

So let's work together. Let's make some progress that could actually pass both Chambers.

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

Ms. SCANLON. Mr. Speaker, I include in the RECORD a December 5, 2019, New York Times article, entitled, "Government Studying Widely Used Chemicals Linked to Health Issues."

[From the New York Times, Dec. 5, 2019]

GOVERNMENT STUDYING WIDELY USED
CHEMICALS LINKED TO HEALTH ISSUES

(By Eric Lipton)

WARMINSTER, PA.—Two decades after concern emerged about a class of chemicals used in everything from Teflon pans to firefighting foam, the federal government has started the first in a series of detailed studies of the impact the chemicals have had on human health.

The goal is to determine what role the chemicals, known generally as PFAS, play in a long list of health conditions including thyroid, kidney, liver, cardiovascular and autoimmune diseases, among other ailments. The studies will involve thousands of adults and children in eight communities nationwide, and the findings will help determine just how extensive of a cleanup is necessary at sites where groundwater or drinking water supplies have been contaminated.

This is hardly an academic matter in communities like Warminster, a suburb of Philadelphia, where Hope Martindell Grosse grew up just across the street from the now-defunct Naval Air Warfare Center. The base is one of about 200 military installations around the country where groundwater has been contaminated by the chemicals, including at least 24 where drinking water was affected.

Ms. Grosse and several members of her family have had a series of health problems, including autoimmune disease, cancer and other unusual conditions, such as a missing set of adult teeth in both of her daughters.

Her childhood home was just 25 feet from the Navy base and for decades she and her family consumed water from a well in their front yard. Even after the house was connected to a municipal water system, the water coming to the house was still contaminated because the local supplier realized only about three years ago that it was also using groundwater contaminated by PFAS. The utility was then forced to buy water from outside the area.

Earlier tests of about 200 area residents have already confirmed high levels of PFAS in the bloodstream of people who lived near the former Warminster base and a second nearby military facility, Naval Air Station Joint Reserve Base Willow Grove.

"My greatest concern is what this means for my children," Ms. Grosse said. "I know my kids have this chemical in them."

But what remains unclear is how strong the association is between PFAS exposure and various health ailments.

It is a question that federal scientists and researchers hope to answer, at least in part, with this first multisite health effects study. It will be conducted in New Hampshire, Pennsylvania, Colorado, Michigan, New Jersey, Massachusetts, New York and California, in communities where drinking water is known to have been contaminated.

In total about 8,000 adults and 2,500 children who lived in areas where drinking water was known to have been contaminated with PFAS will have blood and urine sampled and medical histories checked. The initial round of \$7 million in grants to fund the work has already been distributed.

The first study, in the Pease, N.H., area, is underway and enrolling participants.

Delays in settling on and approving research protocol for the work in the seven other locations mean that actual tests on participants will most likely be put off until at least the end of next year. But researchers at some of those sites have started to collect historical information on drinking water contamination.

In most of the locations, the study will not specifically look for apparent correlations between exposure to PFAS and cancer, because the sample size is not large enough to produce statistically significant results, federal officials said.

But in Pennsylvania, researchers will be gathering data on hundreds of thousands of cancer cases in the area to see if there appears to be a high incidence of certain cancers among those exposed to the contaminated water, said Resa M. Jones, a Temple University epidemiologist who will be overseeing this work.

Public concern about the chemicals first emerged in the late 1990s in communities including Parkersburg, W.Va., which was home to a DuPont chemical manufacturing plant where one form of PFAS was made, after a series of illnesses emerged among area residents and even farm animals.

The discovery of this threat in West Virginia, and the struggle to get DuPont to cover medical costs, are the subject of a new movie, called "Dark Waters."

Medical studies completed around 2012 in Parkersburg ultimately confirmed a "probable link" between the exposure to PFAS chemicals and testicular cancer, kidney cancer and thyroid disease, among other conditions. Animal studies have also suggested links between exposure and health problems in humans, federal authorities say.

Since then, certain versions of the chemical—there are thousands of different formulas—have been removed from the market, including two that were once widely used in nonstick cooking pans and stain-resistant clothes. But there remain concerns that some of the replacement chemicals may cause some of the same illnesses.

The new research now getting underway—which was authorized by Congress through the Defense Department after a bipartisan push led by Senator Jeanne Shaheen, Democrat of New Hampshire—will focus on exposures that are occurring outside any workplace, due to exposure to contaminated drinking water.

"This is an attempt to produce some important knowledge that can be useful not only for a particular community but more generally across the United States, in a large population," he said.

The Environmental Protection Agency is separately also moving toward establishing federal cleanup standards for contaminated areas and also to decide on what the national safety limit for PFAS-related chemicals in drinking water should be, questions the agency has been considering for at least a decade.

Robert A. Bilott, an Ohio lawyer who has spent two decades pursuing litigation against PFAS manufacturers including DuPont, said the research was a welcome step toward developing a better understanding of the health consequences of PFAS. But he said he remained determined to push the manufacturers to pay for an even larger study that would look in a more comprehensive way for correlations between PFAS exposure and cancer.

"I am glad to see the federal government is stepping in and recognizing more needs to be done," said Mr. Bilott, whose story is the focus of the "Dark Waters" film and who has also written a book on his two-decade legal

fight on the issue. "But I don't want it to be a shield against more comprehensive studies that need to be done."

Ms. SCANLON. Mr. Speaker, what we are discussing is not an abstract issue, as this article outlines. These forever chemicals are adversely impacting real people right now, and they can be causing families to confront health issues like autoimmune disease, cancer, even children missing their set of adult teeth.

So not only do we need more research, we need strong action now, and that is why the legislation we are considering here today is so important.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Speaker, I thank Representative SCANLON for granting me the time and Chairman PALLONE and particularly Congresswoman DINGELL for their leadership on PFAS issues.

I rise today in support of H.R. 535, the PFAS Action Act of 2019. This bipartisan bill will take much-needed and long-overdue action on these harmful forever 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 the exposure to them to kidney and testicular cancer, to thyroid disease and other health problems.

PFAS chemicals are concentrated in human and animal blood and tissue, and they can remain there for years. It is estimated that 99 percent of all Americans have PFAS in their blood.

In my home State of Maine, PFAS was first discovered in the groundwater at a former military installation due to the use of fire foam containing PFAS. But PFAS contamination has been found in our public water supply, in soil, in agriculture, and in animal products.

Once in the environment, PFAS will never break down. That is why they are called forever chemicals, so cleanup is essential to protect people in our environment.

Companies and regulators have known about the risks of products like Teflon, Scotchgard, and, yes, Gore-Tex for decades but have failed to take action to protect or inform the American people. The Department of Defense has repeatedly refused to clean up PFAS contamination at military sites across the Nation.

Because the Environmental Protection Agency has dragged its feet, we have no enforceable standards for PFAS levels in our drinking water, leaving communities without the information or the funding to protect our citizens, and there has been no action to fund cleanup because there was no requirement to clean up these dangerous chemicals. It is truly time to act.

Some of the things that the PFAS Action Act will do:

It will finally designate PFAS as a hazardous chemical, thereby ensuring PFAS contamination is cleaned up and polluters pay for their actions;

It will require the EPA to develop national drinking water regulations to test and monitor levels of PFAS in our public drinking supplies; and

It will add two types of forever chemicals to the EPA's Toxic Release Inventory so we will finally know who is releasing them into our water, soil, and air, and we can hold them accountable.

Mr. Speaker, I urge my colleagues to join me in taking action for the health of our communities and our environment and to vote "yes" on the rule and "yes" on the final bill.

Ms. SCANLON. Mr. Speaker, I yield 2 minutes to the other gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I rise in support of the rule, and I thank Representative SCANLON for allowing me this brief time.

PFAS water contamination continues to harm America's health. The EPA's website describes some of the effects: "low infant birth weights, effects on the immune system, cancer . . . and thyroid hormone disruption." Our constituents deserve better. Our constituents have a right to clean water.

Finally, we are making some progress. Over the last year, we have considered and passed more PFAS legislation than any previous Congress, and this week's PFAS Action Act marks our most comprehensive step.

We also see progress at the local level. In my district, contaminated surface water runoff from Horsham Air Guard Station has polluted local wells and waterways for years.

□ 1245

Last week, the Air Force released the funds for a \$2.8 million containment and filtration system at the runoff site. I commend them for their leadership. Still, however, much work remains.

PFAS contaminants exist on more than 400 military bases nationwide and threaten the health and safety of those who live nearby. Addressing this challenge fully requires a national solution. That means listing PFAS as a toxin, banning its manufacture, regulating its disposal, cleaning up our water supplies, and providing health testing and treatment to everyone who needs it.

I thank Representative DINGELL for her tenacity in drafting and passing this legislation. I urge my colleagues to support this rule.

Mrs. LESKO. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, this is an important debate. I have been on the Energy and Commerce Committee a long time. I am the ranking member on the Environment and Climate Change Subcommittee which has jurisdiction on this.

We are in this debate today because emotion is trumping science. We are

not willing to give the scientific community enough time to say that this class of chemicals is bad. We want to do something we have never done. We want to legislatively ban a chemical by legislative fiat, not by doing the due diligence of the scientific process.

I got lectured last night. We get lectured all the time about how Republicans don't believe in science on the climate change debate.

Well, then the contrary is true. Democrats don't believe in science to allow us to have an adequate debate on these chemicals. When we come to the floor, we talk about PFAS like it is one chemical. PFAS stands for perfluorinated or polyfluorinated compounds. There are over 7,800 of these types of compounds. Some are long-chain compounds; some are small-chain compounds, and they are in every aspect of our life.

In fact, the FDA has approved PFAS for food container linings. Let me get that right. Things that are touching our food, the FDA has evaluated it and said, this packaging material is safe.

But no, that is not good enough for my colleagues, because emotion, which we operate on here, especially on the floor of the House—I taught history and the Constitution, and we are supposed to be the emotive body. So this is what we do, as House Members we come to the floor, we cry out we are being harmed; government, save us, without doing the due diligence of science.

And some of this was mentioned by my colleague, Mrs. LESKO, on her debate. But in the F-16—here are all the components that are made that have some form of poly- or perfluorinated compounds in the F-16.

She used one of our favorites; why is this compound good in medical devices? It is great because—why is it good in military field jackets for our men and women in uniform? Because it repels water. That is what makes it great. That keeps our soldiers dry.

I was an infantryman. I would rather be dry in a monsoon than wet, and that is what Gore-Tex or the Gore technology that uses the PFAS type of chemical does.

We think there are two that we need to be concerned about—you have heard about it in the debate; we will hear about it more—PFOA and PFOS. But that doesn't mean the other 7,798 chemical formulations are bad.

But what this bill that they are going to be bringing to the floor is saying, ban them all, even though the FDA said for food packaging it is safe. Even though it is a lifesaving medical device that is implanted in the heart of a child who has a hole in their heart, ban that. Don't worry about it. We will figure out something else to do.

The rule is bad because there were opportunities for the bill to be fixed and brought to the floor. One dealt with medical devices. A cardiothoracic surgeon, LARRY BUCSHON, from Indiana, he offered an amendment to say, if

you are going to have this implantable device, and then the device is not used and it is put in the landfill, please don't call that a toxic chemical, because these things save lives. That wasn't allowed in order.

We are moving into an electric vehicle world. Guess what all these components of an EV vehicle are going to be? Components with PFAS-connected chemicals.

Lithium batteries, what do you think they have in them? PFAS-connected.

So we have this next chart. Automotive parts containing fluoropolymers. Here they are. Starter motor, wiper motor, humidity sensor, engine control unit.

I understand my colleague from Michigan and the firefighter foam debate. But what do you think this does to the automobile industry, where you have all these components that are made up of some form?

So what we have been trying to do in working with our colleagues is say, let's find the ones we can agree upon and move upon.

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

Mrs. LESKO. Mr. Speaker, I yield the gentleman from Illinois an additional 2 minutes.

Mr. SHIMKUS. So let's find the ones that we can agree upon and move into law.

We worked diligently, and it was mentioned before—so the debate is also going to come and say, Republicans hate people, we hate health. Nothing is going to be done. We have to save the Republic, right? Not true.

Even though I am an authorizer, as I said in the Rules Committee, we don't like when other committees usurp our authorization, right, chairman? And we don't like when appropriators do it. But they did it right at the end of the year.

In the National Defense Authorization Act, it requires EPA to mandate that drinking water systems monitor unregulated PFAS. Click that off. We did it.

Provide grants to communities to address this issue. Checkmark. We did that.

Requires new reporting of PFAS under the Toxic Release Inventory Program. We did that.

Requires manufacturers and processors of PFAS to submit health and safety information to the EPA. Another checkmark.

Guidance for appropriate destruction of PFAS, restriction of long chain.

Let me say something that is really problematic about this bill. It bans all new uses of PFAS chemicals. We know science creates healthier environments. So if we are able to create a PFAS system that may not be a major concern, we can't bring it to market because this bill bans it.

Remember, we are talking about 7,800 formulations.

It was also mentioned by my colleague that, in the omnibus bill, 20 mil-

lion more dollars to go to communities to address this problem.

So as we go through this debate, I urge my colleagues to vote "no." They should have brought more amendments allowed to make the bill better.

Having said that, we can go home—and we did—saying we have addressed this problem; and this bill, that takes a terrible provision of doing something we haven't done in 40 years, ever, legislatively ban a chemical.

Ms. SCANLON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), the distinguished chairman of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, I want to say, in support of the position that was adopted by my friend, Mr. SHIMKUS, there are a lot of things that the appropriators do around here that I don't like.

I rise today in full support of H.R. 535, the PFAS Action Act of 2019. This important piece of legislation will significantly help communities around the country that have contaminated water supplies due to their PFAS chemicals.

This bill is also an extension of the good work that the House accomplished last year with many provisions relating to PFAS contamination in the National Defense Authorization Act.

One community in my district, Westfield, Massachusetts, has been particularly affected by these substances because of the past use of certain types of firefighting foams for the aircraft fires at Barnes Air National Guard base. Unfortunately, the situation at Westfield is hardly unique. For years, cities and towns around the Nation have been trying to resolve this problem with very little help from the Environmental Protection Agency.

Provisions in this bill, however, will ensure that the EPA finally does their part to set safe drinking water standards and to include these hazardous chemicals in the Superfund regulations.

Additionally, this regulation will require health testing for all PFAS substances and establish a grant program to help those communities affected to clean up their water supplies.

Mr. Speaker, as someone who has worked for many years with the city of Westfield, and heard from my constituents aggressively on this issue, I am glad the House is providing some aid to many of these communities and ensuring our drinking water is clear of these chemicals.

As a member of the Congressional PFAS Task Force, I want to applaud the hard work that has gone into this legislation and the effort of citizens from areas affected by PFAS for their advocacy.

Mrs. LESKO. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule to consider an amendment offered by my colleague, Representative SHIMKUS,

that was not made in order. The alternative could actually pass the Senate and could, therefore, become law and help people.

Isn't that our goal?

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in 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 Arizona?

There was no objection.

Mrs. LESKO. Mr. Speaker, this amendment strikes section 2 through section 18 of the bill and replaces it with a provision mandating the clean-up of PFOA and PFOS contamination at Department of Defense facilities, section 2, and a provision mandating that EPA establish national primary drinking water regulations for PFOA and PFOS within 2 years, as well as expedite the setting of such regulations for other PFAS chemicals, section 3.

H.R. 535 requires aggressive regulatory responses to the diverse class of PFAS chemicals with little regard to science or risk assessment. This is an unprecedented way of conducting science, counteracting decades of U.S. environmental policy, and likely compromising public safety, public health, and environmental protection.

This alternative that I am proposing simply takes away some of the more problematic provisions and gives H.R. 535 a plausible way to passage.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, this is the only thing that can get signed into law. We have the Statement of Administration Policy put out last night that said, in this form, he would veto the bill.

But more challenging is the fact that numerous colleagues on the other side of the building have said they are done.

We worked with the four corners to address a compromise. What this amendment does is help move the ball forward that, unfortunately, my Democrat colleagues could not say yes to when we had three of the four corners supported; House Republicans, Senate Democrats, Senate Republicans.

So part of this exercise is to say, oh, you know, we really screwed up. Now we have got to show the public we are doing something when we rejected a four-corner compromise that could have been signed into law.

So what we do is—the Lesko amendment is the language, as I mentioned, that House Democrat and committee leaders rejected as part of the NDAA; so we are trying to then move and get the final portion of the most-agreed upon project.

It requires drinking water standards for the best-known PFAS in 2 years, using a science and risk-based approach, and creates an expedited pathway for PFAS in the future.

Listen, I would rather use total science. I don't want to use emotion.

But the problem is, science takes time and emotion doesn't.

□ 1300

They have to show activity, but if FDA has said some of these compounds are safe for food packaging, how do we say they are all bad? Let me say that again. FDA has said some of these compounds are safe for packaging of food. How do we ban 7,800 different permutations of the PFAS?

I would not have drafted this proposal this way. There are some ideas in it that give me pause. But overall, I know how to say yes to solve problems when they need solving. Making compromise means supporting things you may not be comfortable with in order to get something everyone can live with. Don't make the perfect be the enemy of the good. Take the olive branch. Solve PFAS. Reject partisanship over problem-solving.

Mr. Speaker, I urge support of the Lesko amendment.

Ms. SCANLON. Mr. Speaker, I include in the RECORD a January 8 letter from over 20 environmental groups, including Earthjustice, the Center for Environmental Health, the Sierra Club, and the Union of Concerned Scientists, all in favor of this legislation.

JANUARY 8, 2020.

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

Hon. KEVIN MCCARTHY,
Minority Leader,
Washington, DC.

Hon. STENY HOYER,
Majority Leader,
Washington, DC.

Hon. STEVE SCALISE,
Minority Whip,
Washington, DC.

DEAR SPEAKER PELOSI, MAJORITY LEADER HOYER, MINORITY LEADER MCCARTHY, MINORITY WHIP SCALISE AND MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: On behalf of our millions of members and supporters, the undersigned non-governmental organizations write today to urge you to vote YES on H.R. 535, the PFAS Action Act.

Toxic PFAS chemicals have now been confirmed in the water of more than 1,400 communities, including nearly 300 military installations, and studies have linked PFAS to serious health problems, including cancer. H.R. 535 will build on the progress made in the National Defense Authorization Act for FY 2020 by restricting industrial releases of PFAS into our air and water, setting a drinking water standard for PFOA and PFOS in tap water, and by kick-starting the process of cleaning up legacy PFAS contamination by designating PFOA and PFOS as hazardous substances under the federal Superfund law.

The science is clear: PFAS have been linked to serious health problems through decades of animal, worker, and human studies. Unfortunately, EPA has failed to take steps to restrict air and water releases, reduce PFAS in our tap water, or clean up the nation's most contaminated sites. H.R. 535 will set clear deadlines requiring EPA to do just that. Designating PFOA and PFOS as hazardous substances, as proposed by H.R. 535, will not ban PFAS—but will instead ensure that the most contaminated sites are finally cleaned up.

We urge you to vote YES on H.R. 535, the PFAS Action Act.

Sincerely,

Christine Santillana, Earthjustice; Patrick MacRoy, Environmental Health Strategy Center; Shaina Kasper, Toxics Action Center Campaigns; Andrea Braswell, Center for Environmental Health; Michael Green, Center for Environmental Health; Laurene Allen, Merrimack Citizens for Clean Water; Paul and Diane Cotter, Your Turnout Gear and PFOA; Pamela Kay Miller, Alaska Community Action on Toxics; Tara Thorntom, Endangered Species Coalition; Dalal Aboulhossn, Sierra Club; Meghan Boian, Southern Environmental Law Center; Stel Bailey, Fight For Zero; Lynn Thorp, Clean Water Action; Colin O'Neil, Environmental Working Group; John Rumpel, Environment America; Pamitha Weerasinghe, Union of Concerned Scientists; Loreen Hackett, #PfoaProjectNY; Sabina Perez, Office of Senator Perez, 35th Guam Legislature; Joanne Stanton, Buxmont Coalition for Safer Water; Glenn Watkins, National Wildlife Federation; Hope Grosse, Buxmont Coalition for Safer Water.

Ms. SCANLON. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of this rule and the passage of the PFAS Action Act.

This bill will build on the progress we made in the National Defense Authorization Act for 2020 by setting restrictions on PFAS contamination moving forward and cleaning up existing contaminations.

PFAS chemicals are a class of chemicals that could be cancer-causing. They are called forever chemicals because they never leave your body. They can be found in Teflon, Scotchgard, firefighting foams, and food packaging. Increasingly, contamination from PFAS has been found in our food and our water supply, as well.

As many as 100 million Americans could be drinking tap water contaminated with PFAS, according to the Environmental Working Group. This is alarming because the Centers for Disease Control and Prevention has said exposure to PFAS can lower pregnancy rates, interfere with human body hormones, increase cholesterol levels, affect immune systems, and increase risks of cancer, while also affecting the learning, growth, and behavior of children and infants. This is serious.

This fall, I held a briefing of the Congressional Food Safety Caucus, where leading experts presented the dangers of the use of PFAS in food packaging and how these chemical additives can contaminate our food. That is why I have called for a ban on PFAS in food packaging, and I am proud to have joined Congresswoman CHELLIE PIN-GREE to ask the Government Accountability Office to review the actions that are being taken at the Federal level to evaluate the prevalence and the risk of chemical food contamination.

There is no time for delay. The PFAS Action Act of 2019 is a comprehensive

approach to protecting our communities from PFAS contamination. I commend my Democratic colleagues, especially Congresswoman DEBBIE DINGELL and Chairman FRANK PALLONE. This bill will help ensure we are protecting people from these potentially cancer-causing forever chemicals.

Mr. Speaker, I urge my colleagues to support this bill.

Mrs. LESKO. Mr. Speaker, I yield myself the balance of my time.

In closing, I emphasize to my friends across the aisle that we should be bringing legislation to this floor that showcases how we can work together and how we can protect the public from scientifically proven unsafe chemicals. However, this package does not.

I hope my colleagues will come to the table and work with the entire Chamber so we can do more on this important issue, so we can actually have a bill that could be signed into law, and so we can truly help Americans.

If my Democratic colleagues truly want to save lives and protect the public, they will stop pushing through partisan bills like this one that they know will not be heard in the Senate and, instead, actually work with Republicans on reasonable legislation to get something done for the American people.

Mr. Speaker, I urge “no” on the previous question and “no” on the underlying measure, and I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I reiterate again that this is, in fact, a bipartisan bill.

Mr. Speaker, ensuring the health and safety of our constituents is one of the chief responsibilities we have as Members of Congress. The PFAS Action Act will keep Americans safe by stopping the flow of harmful chemicals into our environment, our drinking water, and the products we use every day.

The fight to protect our constituents is ongoing. Science has come a long way in the last 60 years, and we must use those developments to better inform and address the concerns of all Americans.

One of the lessons we must take from having this debate today is that we are all better off by having a strong, responsive, and people-focused EPA. We need an EPA that doesn't treat the American populace like crash-test dummies for the chemical industry to test their products on. Asking for forgiveness instead of permission is not an acceptable tactic when it comes to the health and well-being of our constituents.

We need an EPA that enforces environmental protections, not one that lets industry off the hook whenever it isn't in compliance. We need an EPA that respects hard, indisputable science, not one that willfully buries its head in the sand to avoid the inevitable.

That is what our constituents want from us, to know that they are not being put at risk by the decisions we make.

I am proud that this bill will pass the House today. The PFAS Action Act is a commitment to the American people that this majority will take a long-overdue step to protect their health and safety.

Mr. Speaker, I urge a “yes” vote on the rule and the previous question.

The material previously referred to by Mrs. LESKO is as follows:

AMENDMENT TO HOUSE RESOLUTION 779

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order as though printed as the last amendment in part B of the report of the Committee on Rules accompanying this resolution if offered by Representative Shimkus of Illinois or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows:

Strike section 2 and all that follows and insert the following:

SEC. 2. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g-1(b)) is amended by adding at the end the following:

“(16) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

“(A) IN GENERAL.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall, after notice and opportunity for public comment, promulgate a national primary drinking water regulation for perfluoroalkyl and polyfluoroalkyl substances, which shall, at a minimum, include standards for—

“(i) perfluorooctanoic acid (commonly referred to as ‘PFOA’); and

“(ii) perfluorooctane sulfonic acid (commonly referred to as ‘PFOS’).

“(B) ALTERNATIVE PROCEDURES.—“(i) IN GENERAL.—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing procedure to ensure compliance with the national primary drinking water regulation promulgated under subparagraph (A) to measure the levels described in clause (ii) or other methods to detect and monitor perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method as an alternative to the quality control and testing procedure described in such national primary drinking water regulation by publishing the procedure or method in the Federal Register in accordance with section 1401(1)(D).

“(ii) LEVELS DESCRIBED.—The levels referred to in clause (i) are—

“(I) the level of a perfluoroalkyl or polyfluoroalkyl substance;

“(II) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

“(III) the total levels of organic fluorine.

“(C) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

“(i) the list of contaminants for consideration of regulation under paragraph (1)(B)(i), in accordance with such paragraph; and

“(ii) the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i), in accordance with such section.

“(D) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under subparagraph (A) or subparagraph (F)(ii), the Administrator shall

tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 1418(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

“(E) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

“(F) REGULATION OF ADDITIONAL SUBSTANCES.—

“(i) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under subparagraph (A) not later than 18 months after the later of—

“(I) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

“(II) the date on which—

“(aa) the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; or

“(bb) the Administrator has received reliable water data or water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be of a quality sufficient to make a determination under paragraph (1)(A).

“(ii) PRIMARY DRINKING WATER REGULATIONS.—

“(I) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under clause (i), the Administrator—

“(aa) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

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

“(II) DEADLINE.—

“(aa) IN GENERAL.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under clause (i)(I) and subject to item (bb), the Administrator shall take final action on the proposed national primary drinking water regulation.

“(bb) EXTENSION.—The Administrator, on publication of notice in the Federal Register, may extend the deadline under item (aa) by not more than 24 months.

“(G) HEALTH ADVISORY.—

“(i) IN GENERAL.—Subject to clause (ii), the Administrator shall publish a health advisory under paragraph (1)(F) for a

perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not subject to a national primary drinking water regulation not later than 1 year after the later of—

“(I) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

“(II) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.”

“(ii) **WAIVER.**—The Administrator may waive the requirements of clause (i) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water with sufficient frequency to justify the publication of a health advisory, and publishes such determination, including the information and analysis used, and basis for, such determination, in the Federal Register.”

Ms. SCANLON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mrs. LESKO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1419

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HIGGINS of New York) at 2 o'clock and 19 minutes p.m.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1426

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SUOZZI) at 2 o'clock and 26 minutes p.m.

PROMOTING UNITED STATES INTERNATIONAL LEADERSHIP IN 5G ACT OF 2019

Ms. TITUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3763) to direct the Secretary of State 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 5th and future generations mobile telecommunications systems and infrastructure, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3763

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 “Promoting United States International Leadership in 5G Act of 2019”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States and its allies and partners should maintain participation and leadership at international standards-setting bodies for 5th and future generations mobile telecommunications systems and infrastructure;

(2) the United States should work with its allies and partners to encourage and facilitate the development of secure supply chains and networks for 5th and future generations mobile telecommunications systems and infrastructure; and

(3) the maintenance of a high standard of security in telecommunications and cyberspace between the United States and its allies and partners is a national security interest of the United States.

SEC. 3. ENHANCING REPRESENTATION AND LEADERSHIP OF UNITED STATES AT INTERNATIONAL STANDARDS-SETTING BODIES.

(a) **IN GENERAL.**—The President shall establish an interagency working group to provide assistance and technical expertise to enhance the representation and leadership of the United States at international standards-setting bodies that set standards for equipment, systems, software, and virtually-defined networks that support 5th and future generations mobile telecommunications systems and infrastructure, such as the International Telecommunication Union and the 3rd Generation Partnership Project. The President shall also work with allies and partners, as well as the private sector, to increase productive engagement.

(b) **INTERAGENCY WORKING GROUP.**—The interagency working group described in subsection (a) shall—

(1) be chaired by the Secretary of State or a designee of the Secretary of State; and

(2) consist of the head (or designee) of each Federal department or agency the President determines appropriate.

(c) BRIEFING.—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and subsequently thereafter as provided in paragraph (2), the interagency working group described in subsection (a) shall provide to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a briefing that shall include—

(A) a strategy to promote United States leadership at international standards-setting bodies for equipment, systems, software, and virtually-defined networks relevant to 5th and future generation mobile telecommunications systems and infrastructure, taking into account the different processes followed by the various international standard-setting bodies;

(B) a strategy for diplomatic engagement with allies and partners to share security risk information and findings pertaining to equipment that supports or is used in 5th and future generations mobile telecommunications systems and infrastructure and cooperation on mitigating such risks;

(C) a discussion of China's presence and activities at international standards-setting bodies relevant to 5th and future generation mobile telecommunications systems and infrastructure, including information on the differences in the scope and scale of China's engagement at such bodies compared to engagement by the United States or its allies and partners and the security risks raised by Chinese proposals in such standards-setting bodies; and

(D) a strategy for engagement with private sector communications and information service providers, equipment developers, academia, federally funded research and development centers, and other private-sector stakeholders to propose and develop secure standards for equipment, systems, software, and virtually-defined networks that support 5th and future generation mobile telecommunications systems and infrastructure.

(2) **SUBSEQUENT BRIEFINGS.**—Upon request by the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, or as determined appropriate by the chair of the interagency working group described in subsection (a), the interagency working group shall provide to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate an updated briefing including the matters described in subparagraphs (A) through (D) of paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Nevada (Ms. TITUS) and the gentleman from Texas (Mr. MCCAUL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Nevada.

GENERAL LEAVE

Ms. TITUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3763.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

Ms. TITUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me start by thanking our ranking member of the Committee on Foreign Affairs, Mr. MCCAUL