the apportionment process and instead vested a political appointee with that authority.

And, three, OMB's actions hindered agencies' ability to prudently obligate funds by the end of the fiscal year, bypassing Congress and creating backdoor rescissions in violation of the ICA.

Weeks after our report was published, the House of Representatives impeached Donald J. Trump for abuse of power and obstruction of justice.

On January 16, 2020, GAO issued a legal opinion, stating that the actions taken by OMB to withhold foreign aid to Ukraine violated the ICA. The nonpartisan watchdog even went so far to say: ''OMB's assertions have no basis in law.''

GAO found the White House's action to withhold security assistance funding constituted an illegal deferral of funding in violation of the ICA. The ICA permits deferrals only for very limited purposes and requires advanced congressional notification. But this was not just a notification violation. GAO determined that this deferral was prohibited under the ICA, period.

As GAO emphasized: ''The ICA does not permit deferrals for policy reasons. . . . OMB's justification for the withholding falls squarely within the scope of an impermissible policy deferral.''

So even if the President had notified Congress in advance of the deferral, it still would have been illegal.

The White House has taken a disturbing sense of pride in its obstruction of Congress so it is no surprise that they failed to fully cooperate with GAO as well. In its decision, GAO called out the Trump administration, stating: ''We consider a reluctance to provide a fulsome response to have constitutional significance.''

The House Budget Committee repeatedly warned the Trump administration about the ICA. The Department of Defense warned them. The State Department warned them. Even people in the Executive Office of the President called out this flagrant abuse of Federal law. But the President ignored the warnings.

Instead, he used the powers of his office to subvert our laws, solicit foreign interference to help him cheat in his next election, and then try to cover it all up.

While the House has taken action to show that no one, including the President, is above the law, OMB is still scheming. President Trump's administration continues to abuse its authority and infringe on Congress' power of the purse—for example, holding up disaster relief to Puerto Rico. I would wager it is because the President couldn't handle some criticism from one of their mayors. We shall see.

Last March, my colleagues and I wrote a letter to OMB, which I intend to put in the RECORD, calling out this administration for declaring bogus national emergencies to steal funds Congress appropriated for crucial military construction and counternarcotic initiatives to use for the President's border wall, another decision motivated by the President's political campaign and not taxpayer interests. There is more, I am sure, that we just don't know about yet, but we will find out.

In the face of this administration's clear and present threat to our democracy, we must defend Congress' constitutional authority, protect our separation of powers, and strengthen the ICA to prevent such unilateral actions.

In March, I will introduce legislation that will protect Congress' power of the purse. It will promote transparency of the executive branch to limit abuse and ensure no President can hide lawbreaking from the American people again. It will add teeth to budget law by creating significant deterrents, including administrative discipline, to create more accountability for executive branch officials so they won't break the law, and it will ensure Congress remains front and center in determining whether emergency declarations made by the President and the related shifts in funding are justified.

Look, this is a lot of information, and I am normally not one to give long statements, but in the face of such horrendous attacks on our democracy, I wanted it all on the RECORD.

I am also submitting every letter I referenced into the CONGRESSIONAL RECORD, as well. As chairman of the House Budget Committee, I felt it was my responsibility.

It is my hope that these facts help expose this administration's systemic lawbreaking because if they get away with this and Congress does not fight back, it will not stop. We all know that.

He could attack specific communities by withholding funds that support their healthcare. He could retaliate against Senators for their votes by freezing Federal investments in their States. He could punish States that he views as unsupportive of his election by withholding the infrastructure funds.

If we don't stop him, President Trump will use our taxpayer dollars to punish political adversaries. That creates a destructive precedent for other Presidents who follow.

I implore our Republican colleagues to join us in this effort to uphold the oath we all swore and to make it unequivocally clear that, in the United States of America, no one is above the law.

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

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

REVIEWING INHERITED IMMIGRATION CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Wisconsin (Mr. GROTHMAN) for 30 minutes.

Mr. GROTHMAN. Madam Speaker, it appears we are at least in the final 2 weeks of this impeachment journey, and, therefore, it is time to begin to look at the issues that have been ignored or kept out of the newspaper for the last few months, which I think is quite frankly one of the reasons why we have had this impeachment.

I am going to address what progress has been made on these issues, largely President Trump making the progress himself without any help from Congress, and then address what we should do in the next few months prior to the next election.

I think the biggest crisis for the country that President Trump inherited was the immigration crisis, and President Trump has had several successes here on his own.

□ 1915

He has reduced the number of people placed in the United States from in May, close to 100,000 people by the Border Patrol, certainly, over 90,000 by the Border Patrol and probably another 10 to 12,000 people sneaking in the country without being processed at that time, to a position where, last month, the Border Patrol probably placed under 2,000 people in the United States.

First of all, it is important to review what President Trump has done. He has begun what we would call a migrant protection protocol, in which Mexico is holding asylum seekers on their side of the border. They have agreed to hold anybody who is Spanish-speaking, and recently, in an unpublicized success, has begun a program holding Brazilians who are trying to get in this country as well.

They also have an asylum cooperative agreement in which Guatemala is holding asylum seekers who are coming from other Central American countries without moving into the United States.

I will point out something that should be obvious. If you are looking for asylum, in other words, to get away from danger in your home country, you shouldn't necessarily have to come to the United States. If you are an asylum seeker in Honduras or El Salvador, for example, and you are coming north, and you are in danger in your home country, it would be enough to stop in Guatemala. You do not have to come here.

In addition, we have begun an interior reparation initiative for people from Mexico trying to come here. Normally, in order to try to come here, you have to deal with the Mexican drug cartels. By the United States or Mexico repatriating people in Central Mexico, first of all, they are in many cases, in a more prosperous part of Mexico and, secondly, are not being dealt with by the drug cartels. And finally, you are a little bit further away from the border, which is something we should do in the first place.

The next thing President Trump has done is he has completed 110 miles of

the border wall. We anticipate 630 of the 2,000 miles being done by the end of the year. It is very difficult to get through this wall and, actually, when you talk to the Border Patrol, they don't even like to refer to it as a wall. They like to refer to it as a wall system. But it is going to be over 30 feet high and six to 7 feet underground, making it very difficult to get through.

Recently, the Border Patrol apprehended people who were kind of stuck going up the wall and they got up the wall to the point at which they weren't able to get down.

But in any event, when you combine all these activities of the Trump administration, with very little help from Congress, as well as restricting entry of people who are probably going to become a public charge, we have reduced the number of people being placed in this country from 90,000 to 2,000.

So, what should Congress do?

What President Trump has done so far is successful but precarious. First of all, President Trump is not going to be President forever, and secondly, a lot of what President Trump has done is going to be subject to possible review by a bad judge.

Congress should immediately take up the following few actions, which I think any average American would consider okay, or consider mild.

First of all, we have to change the credible fear standard. Not everybody who comes here saying they are in danger at home is in danger at home. Congress ought to revisit that and pass something in the near future, hopefully soon. With President Trump no longer having to worry about the impeachment, he can use his position to drive that sort of bill through Congress.

Secondly, we still have problems with the Flores settlement and that we are restricting holding families to only 20 days pending adjudication. There is no reason—I have been down at the border to see how well we are treating people who are held down there. There is no reason why we should have to release people after only 20 days if we have a court hearing coming up.

Thirdly, we should change the current law with regard to unaccompanied minors. There are people who claim they don't like to see families separated, but back in May, we had, I think it was 8 or 9,000 minors coming into this country unaccompanied by adults.

Now, under current law in the United States, we can turn these minors back if they came from Canada or Mexico. We can't turn around minors or send them back if they come from other countries.

There are people around here who purport to want to keep families together. If a 15- or 16-year-old child comes here from Guatemala, because children are the future of any country, the Central American or South American families want their children back; and we should go back to the days in which it is legal to send back minors from other countries.

The next thing we should do is, President Trump has had success in the courts with preventing people from coming here who are going to become a public charge. Obviously, as we look to let people in our country—and I am going to digress here for one second.

There are people who say President Trump is anti-immigrant. The number of immigrants, the number of people who were sworn in legally in this country in 2018 was 761,000 people. That was more than any of the final 3 years under President Obama.

I am going to repeat that if anybody back there says President Trump is anti-immigrant. More people were let in in 2018, were legally sworn in as American citizens under President Trump than any one of President Obama's final 3 years.

But it is important, despite President Trump's victory in court, that Congress step up to the plate and make it statutory that, as we pick which new whatever, 750,000 new people get to become American citizens, we are not picking people who are going to become a public charge.

It is already a huge drain on the American people's budget to take care of people who are in desperate straits who were born Americans in the first place. It is just horrific that people want to let people in to become a public charge from other countries, particularly at a time that we are running trillion dollar deficits; not to mention, I think you are going to eventually have a problem with the fiber of America in the future if we let all people in.

The next thing that President Trump has done, I haven't mentioned, is he has, without a lot of fanfare, restricted tourist visas for people who are soon going to have children.

I have been at the border. Until you have been down there you don't realize the degree to which women frequently are coming to this country so that their children become citizens. The United States is one of only, I believe, two out of 40 western countries in the world in which you can become a citizen just by being born here. People are taking advantage of that. Again, it is an example of us not picking the immigrants we allow in here.

It is people being able to, first of all, have their children become citizens, and then because we want family reunification, the women who have the child are soon going to be allowed to be here without being appropriately vetted.

In any event, this is something that Congress ought to take up as soon as this impeachment is over.

Extend the time you can stay under the Flores settlement; adjust the credible standard for people who claim they are in danger back home; change the rules with regard to unaccompanied minors so we can reunite those children with their families. It is ridiculous that that bill is being held up.

Do something about the sanctuary cities which, right now, are a magnet, and they scream to people in other countries that we are not supposed to take our immigration laws seriously.

Do something about the birthright citizenship in which we are one of the few countries around the world which says that if you come here, you automatically become a citizen.

But what other things should Congress be tackling over the next seven or 8 months before we break for elections?

Given the fact that we are broke; and given our concern that we do want to encourage marriage, where necessary; given that we want to encourage people to work and that we have a shortage of labor in this country, we have to look at our current safety net.

Now, right now, the economy is good, and the number of people on Foodshare—which is a good indication of the number of people who are taking advantage of our safety net—has dropped in the last couple of years due to the booming economy. There were still 34,000 people on Foodshare in 2018, average.

In 2003, another time in which the economy was largely booming, there were 21,000 people. What has happened over the last 16 years that we have had over a 50 percent increase in the people on Foodshare?

The economy is booming. Obviously, what is going on is, Foodshare, together with many other similar programs, have changed the work ethic of Americans. What can we do to address the ease with which people become involved in these programs?

And I am not saying we have to do anything to the people who absolutely need these programs. But I can think of no reason why we would have over a 50 percent increase in a 15-year period if we weren't quietly or slowly changing the work ethic of Americans.

There are three things that Congress should deal with, and that, hopefully, President Trump will champion. First of all, when I talk to people in my district, they are aware that there is a labor shortage, particularly in the factories, and other places as well. And it is frustrating how few people can pass the drug test. If you cannot get a job because you can't pass a drug test, you shouldn't get public benefits. So drug testing should be done.

The next thing that should be done, when I talk to people, particularly people who work in our grocery stores or our convenience stores, they are frustrated that we, right now, have IDs on Foodshare without any photos on them. And again, the people who are working these jobs suspect, highly suspect, that these programs are being taken advantage of. Congress should insist that we have photo IDs on Foodshare.

And, finally, there should be work requirements or an effort that people are trying to find work. This would be a measure of the sincerity of people as to whether it is possible—as to whether or not they are really trying their best to get off of public benefits.

I am going to mention three other quick things that I hope are taken care of, that I don't think any serious American should have a concern with.

I was very frustrated with the recent omnibus bills, recent appropriation bills that dealt with a lot of the parts of the Tax Code. One more time Congress did not have the guts to take up what I consider an exemption for the very wealthy, and that is the carried interest exemption.

I know President Trump has asked Congress to look at this. Right now, highfliers who are venture capitalists, hedge fund managers—hedge fund managers in particular—are getting capital gains treatment on what should be ordinary income. I can think of no reason, other than Congressmen like very wealthy people, why, if you are a hedge fund manager making millions a year, you are paying tax at capital gains rates rather than ordinary income rates.

Congress should have the guts to stand up to some of our wealthiest citizens and tax them at the rates that the average working man pays. I hope Congress will finally take this up and do what I know President Trump wants, and tax the carried interest of the wealthiest hedge fund managers as the average working man in this country.

The next thing I would like to do that should be automatic is, when insulin was invented, the inventor wanted it cheap and available to everybody. Unfortunately, right now, it can be wildly expensive, and it is much more expensive in this country than in other countries.

What we should do is we should treat insulin, not as a drug, but as a biosimilar, and see what we can do about rushing it to market so that the drug companies cannot make excessive amounts of money off of an invention that was designed—the inventor wanted it to be freely available to everybody.

The number of Americans with diabetes is excessively high, and the idea that, under current law, we allow makers of insulin, which I don't really consider a pharmaceutical, but makers of insulin to charge an excessive amount, when it was invented years ago, is ridiculous. It will take this body standing up to the drug companies, but it is something this Congress does not do enough.

I realize there was a bill passed designed to deal with drug prices in this House. That bill, we all know, was politically unrealistic, and it probably would have resulted in a drastic reduction in innovation on generally new pharmaceuticals.

But a separate bill should be passed on insulin and, hopefully, that is something Congress can do.

The final thing Congress could do to help the average person is, in the future, do something to restrict the amount of student loan debt.

When I talk to people, they feel—and I believe this, because it was true when I went to school—there are people taking out more debt than they absolutely need.

□ 1930

I suppose this is true everywhere in our country; people probably have too much credit card debt, more than they need, and they are not disciplined, but it is particularly true of 18- or 19- or 20-year-olds.

There was a time in this country where, if universities wanted to, they could say: No, you don't need $7,000 in debt this year; you need $4,000 in new loans.

They are not able to do that anymore. We ought to give that ability back to universities, and we ought to begin to sanction universities if too many people are leaving that institution and are not able to pay back their loans.

I do blame the universities for part of this, and it is going to take some political will to stand up to these university administrators, but they are the ones who are leading some of these people down the path with the nice brochure and the nice song and dance about how it is going to be so wonderful if you graduate from this university. Some people, of course, drop out of the university.

But either way, far too many people are not paying off the loans. They are having to spend way too long. They can't buy a house. They aren't forming a family.

Quite frankly, it is a publicized scandal, but it is still underpublicized the degree to which some of the best Americans who are doing what they are told are saddled with vast amounts of debt and not the income to pay it off; or, if they have the income to pay them off, it is taking all their income and they can't buy a house and they can't have kids.

I hope Congress does something serious there other than just say we should put hundreds of billions of dollars into paying off the loans.

In any event, these are things that I think Congress could take up. I think we could salvage this session. I know President Trump did all he could on immigration without the help of Congress.

I feel that the impeachment thing was designed to keep people's eyes off the ball on the issues that we should be addressing. There are some suggestions of what to do. I hope the American people insist they be done. I hope President Trump champions them.

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

ADJOURNMENT

Mr. GROTHMAN. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 29, 2020, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 4331, the Tibetan Policy and Support Act of 2019, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3652. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final interpretive rule — User Fees for Agricultural Quarantine and Inspection Services [Docket No.: APHIS-2013-0021] (RIN: 0579-AD77) received January 17, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3653. A letter from the Senior Counsel, Bureau of Consumer Financial Protection, transmitting the Bureau's policy statement — Statement of Policy Regarding Prohibition of Abusive Acts or Practices received January 27, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3654. A letter from the Senior Legislative Officer, OCIA, Wage and Hour Division, Department of Labor, transmitting the Department's final rule — Joint Employer Status Under the Fair Labor Standards Act (RIN: 1235-AA26) received January 23, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

3655. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky: Cross-State Air Pollution Rule [EPA-R04-OAR-2019-0155; FRL-10004-69-Region 4] received January 27, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3656. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; AL and SC: Infrastructure Requirements for the 2015