

date on which the funds would expire. We overrule prior inconsistent GAO opinions.

Sincerely,

THOMAS H. ARMSTRONG,  
General Counsel.

50TH ANNIVERSARY OF SAINT  
ELMO VILLAGE

**HON. KAREN BASS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 29, 2020*

Ms. BASS. Madam Speaker, on May 25, 2019, Saint Elmo Village celebrated 50 years as an artist colony that has worked to bring art into the everyday lives of young and old in the heart of Los Angeles. I congratulate all of the past and present residents, teachers, neighbors and supporters. I also commend its community of citizens for using their powers of creativity and artistic expression to create an oasis of beauty in Mid-City.

Saint Elmo Village was founded in 1969 by painter Rozzell Sykes, once featured in *Life* magazine, and his artist nephew Roderick Sykes, who hoped to use a small group of bungalows in the 4800 block of St. Elmo Drive to enhance the neighborhood and to further their artistic visions. Their goals: to capitalize on a thriving art scene in Southern California; construct a space to nurture urban and African American artists; and to prove that everyone has creative talents.

The Village continued to gain prestige, with the Sykes receiving numerous public art commissions and international recognition for their work, specifically in painting and photography. Soon enough, Saint Elmo welcomed resident artists to expand the diversity and types of pieces created at the Village.

With creativity at its core, Saint Elmo Village consistently emphasizes the inclusive aspects of art-making. Now under the leadership of executive director Jacqueline Sykes, the organization holds workshops and art showings tailored to the idea that all people can be creative.

Community engagement stands as a cornerstone of the Village's mission. St. Elmo offers a creative space for locals and hosts art classes, festivals, and numerous educational enrichment programs to spread love for art in the Mid-City neighborhood.

Guided by a singular phrase, "Do What You Love—Love What You Do" Saint Elmo Village has spent a half-century enriching Los Angeles. I congratulate Saint Elmo Village on its host of accolades, and I look forward to another half century of memorable milestones.

RECOGNIZING LISA WILLIAMS OF  
COLLEYVILLE, TEXAS FOR HER  
OUTSTANDING WORK

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 29, 2020*

Mr. MARCHANT. Madam Speaker, I rise today to recognize Lisa Williams for her tireless devotion to helping victims of human trafficking overcome the many challenges they face. As a distinguished leader in the non-profit community, Lisa has been working to

counter the tragic effects of child abuse and sexual exploitation since she founded Circle of Friends: Celebrating Life, Inc. in 1999.

From the outset, Circle of Friends has collaborated with various stakeholders to fundraise and create awareness about the systemic issues that human trafficking presents to communities across the country. Under Lisa's guidance, other programs were established to further this goal, such as Living Water for Women, Living Water for Girls and the Living Water Learning Resource Center. Through these channels, Lisa has focused on providing services that are based on proven intervention and rehabilitative strategies, such as creating spaces for safe refuge, delivering therapeutic treatments, and facilitating educational and career opportunities for victims of sex trafficking.

For over twenty years, Lisa's work has enabled women and children to heal by way of an extensive network of support services. Her efforts will continue through the Circle of Friends Impact Legacy Scholarship Fund, a dollar-for-dollar, matched endowment that is administered by the Century Challenge at Boston University. The Circle of Friends scholarship fund will empower survivors of adverse sexual experiences to pursue an education and achieve self-sufficiency.

Ms. Williams's philanthropic endeavors have undoubtedly served as a beacon of hope to many. Madam Speaker, it is a pleasure to recognize the remarkable work that Lisa has produced in support of human trafficking victims. I ask all my distinguished colleagues to join me in recognizing Lisa Williams for her distinguished years of service.

PERSONAL EXPLANATION

**HON. DOUG COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 29, 2020*

Mr. COLLINS of Georgia. Madam Speaker, on Tuesday, January 28, 2020, I was absent from the vote series due to commitments in my district.

Had I been present, I would have voted NAY on Roll Call No. 25, NAY on Roll Call No. 26, and YEA on Roll Call No. 27.

WHY IMPOUNDMENT CONTROL ACT  
MATTERS

SPEECH OF

**HON. JOHN A. YARMUTH**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 28, 2020*

Mr. YARMUTH. Madam Speaker, I include in the RECORD the December 2019 House Budget Committee report outlining the timeline of actions taken by the Office of Management and Budget (OMB), the seemingly unprecedented step of stripping career officials of their normal role in the apportionment process, and how the OMB's actions hindered agencies' ability to obligate funds by the end of the fiscal year. I am submitting this in the RECORD to help inform the public of the Administration's systematic disregard of Congress' constitutional authority, separation of powers principles, and the Impoundment Control Act.

On September 27, House Budget Chairman John Yarmuth (KY-03) and House Appropriations Chairwoman Nita Lowey (NY-17) sent a letter to the Trump administration expressing "serious concerns" that recent actions taken by the Office of Management and Budget (OMB) constitute unlawful impoundments and are an abuse of the authority delegated to OMB to apportion appropriations. As part of the committees' efforts to ensure Congress maintains the power of the purse, as established in the Constitution, the Chairs requested documents and answers regarding OMB's involvement in the withholding of foreign aid, including nearly \$400 million in crucial security assistance funding for Ukraine.

The committees received a partial production from OMB, however, OMB failed to meet the committees' deadlines and has not provided the bulk of the documents.

SUMMARY

After careful review of the materials provided to the committees, the Chairs have become more concerned that the apportionment process has been abused to undermine Congress's constitutional power of the purse. Specifically:

1. The timeline of actions taken by OMB (as seen in the provided apportionments, which are legally binding documents) suggest a pattern of abuse of the apportionment process, OMB's authority, and current law.

2. OMB took the seemingly unprecedented step of stripping career officials of their normal role in the apportionment process and instead vesting a political appointee with that authority. This is a troubling deviation from long-standing procedures.

3. OMB's actions may have hindered agencies' ability to prudently obligate funds by the end of the fiscal year in violation of the Impoundment Control Act of 1974 (ICA), possibly creating backdoor rescissions.

TIMELINE

June 19, 2019: OMB asserts in our documents that they first inquired with the Department of Defense about the Ukraine Security Assistance Initiative (USAI).

July 18, 2019: OMB admits in our documents (and it has been reported) that they notified an interagency working group, which included DoD and the State Department, about an instruction to withhold all funds for Ukraine security assistance.

July 25, 2019 at 6:44pm ET: the first apportionment withholding \$250 million in DoD funding for USAI until August 5, 2019, is signed by an OMB career official. OMB confirms in our documents that this is the first written apportionment action and states that USAI funds were not made available to DoD until September 12.

August 3, 2019: a letter apportionment signed by Michael Duffey (the OMB political appointee) withholds State/USAID foreign aid, including \$26.5 million in Foreign Military Financing (FMF) funding from the FY18 appropriations act for assistance to Ukraine. The apportionment responsibility for these accounts is not returned to the career official for the remainder of the fiscal year.

August 6, 2019 at 2:22pm ET: Michael Duffey (the OMB political appointee) signs an apportionment withholding the DoD funding for USAI until August 12, 2019. The apportionment responsibility for this account is not returned to the career official for the remainder of the fiscal year.

August 9, 2019: The House (majority) and Senate (minority) Appropriations Committees write to OMB and the White House warning the Trump administration that the August 3 letter apportionment for State/USAID foreign aid may constitute an illegal impoundment of funds and urging the administration to adhere to the law and obligate

the withheld funding. Duffey signs another letter apportionment for State/USAID foreign aid, continuing to withhold the funding withheld by the August 3 Letter by releasing only about 2% of funds each day, preventing the normal spending of these funds. (DoD USAI funds continue to be withheld.)

August 19, 2019: The House (majority) and Senate (minority) Budget Committees write to OMB and the White House urging the administration to respect Congress's constitutional authority and to comply with appropriations law and the ICA, in particular as it applies to the State/USAID foreign aid withheld by Duffey.

August 29, 2019: Duffey signs another letter apportionment for the State/USAID foreign aid, continuing to withhold remaining funding previously withheld by the August 3 and August 9 letters by releasing 25% of the funds each Sunday between September 1 and September 22, preventing the normal spending of these funds. (DoD USAI funds continue to be withheld.)

September 11, 2019: A letter was sent to Congress (dated September 11, 2019) by the State Department notifying the agency's intent to obligate the \$141.5 million in FMF funding for Ukraine. Following notification, the funds were held for an additional period before being released by OMB on September 27 (\$115 million from the FY19 appropriations act) and September 30 (\$26.5 million from the FY18 appropriations act) through apportionments also signed by Duffey.

September 12, 2019: Subsequent actions by Duffey extended the DoD USAI withholding until September 12.

September 18, 2019: The House Budget and Appropriations Committees write to OMB expressing concerns over the agency's abuse of its apportionment authorities and questions its compliance with the Antideficiency Act and the Impoundment Control Act of 1974.

September 27, 2019: The House Budget and Appropriations Committees write to OMB requesting answers and documents related to the withholding of Ukraine aid, State and USAID funds, and possible abuses of the apportionment process.

September 30, 2019: The fiscal year ends. Preliminary and public reporting from State and USAID indicates that significant amounts of the withheld FMF funding were not obligated before that deadline. Additionally, a portion of the \$250 million DoD USAI funding was not obligated. The 2019 Continuing Resolution (P.L. 116-59) extended the deadline to obligate any and all of the remaining USAI funding by a full year; preliminary and public reporting from DoD indicates that amount totaled \$35.2 million.

#### NEXT STEPS

Although the committees only received a partial production of the requested materials, OMB's responses and documentation to date confirm that the apportionment process has been misused to withhold Congressionally enacted appropriations. Increased transparency and accountability for the apportionment process would serve both Congress and the public.

As the committees consider legislative proposals and reforms to rein in OMB's abuse of its apportionment responsibilities (especially in the context of the Impoundment Control Act of 1974 and the annual appropriations acts), these findings—and the pending document requests—are key.

## CONGRATULATING LIZ PAUGH ON HER RETIREMENT

### HON. DANIEL MEUSER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. MEUSER. Madam Speaker, it is with great respect and appreciation that I rise today to honor Liz Paugh of Lebanon, who is retiring from the United States Department of Veterans Affairs after serving our nation's incredible veterans for over 30 years.

Ms. Paugh began her career on December 11, 1989 at the Lebanon VA Medical Center in the Nutrition and Food Service Department. While serving in this role, she took great care to ensure Veterans meals fit of their diet and any medical needs. After, she was promoted to oversee Ingredient Control at the Lebanon VA. 20 years after her career began at the Lebanon VA, she accepted a position in Network Contracting Office 4 as a Purchasing Agent where she continued to support the Lebanon VA in a different capacity, through administrative contracting support. Throughout her long and distinguished career, Ms. Paugh faithfully provided heartfelt service to our Veterans.

Although she is culminating an impressive and impactful career, I am confident that as she begins this new chapter, she will continue to be a positive influence and a dedicated member of our great community.

On behalf of the U.S. House of Representatives and the citizens of Pennsylvania's Ninth Congressional District, I ask my colleagues to join me in congratulating Ms. Paugh on her retirement and thank her for her many years of dedicated service to our Veterans and our great nation.

#### PERSONAL EXPLANATION

### HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. VAN DREW. Madam Speaker, I was not present for the only vote series on January 28, 2020.

Had I been present, I would have voted NAY on Roll Call No. 25, Previous Question on H. Res. 811; NAY on Roll Call No. 26, H. Res. 811; and YEA on Roll Call No. 27, H.R. 4331.

#### HONORING JIM LYALL

### HON. KEVIN HERN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. KEVIN HERN of Oklahoma. Madam Speaker, I rise to honor the First District of Oklahoma's January Veteran of the Month, Jim Lyall.

A sergeant in the United States Army, Mr. Lyall honorably served our country in the Vietnam conflict. Throughout his time in the military, Mr. Lyall earned the National Defense Service Medal, the Vietnam Campaign Medal, the Vietnam Service Medal, an Army Com-

mendation with Valor, the Good Conduct Medal, the Combat Infantryman Badge, and he received a Citation for Valor on September 27, 1968. Mr. Lyall's courageous and valorous service in the name of freedom is truly honorable.

Following his departure from the military, Jim became a tireless servant for the veterans of northeastern Oklahoma. Currently, he serves as the Veterans Outreach Coordinator for the Community Food Bank of Eastern Oklahoma, ensuring that those who have served our country have access to meals. Mr. Lyall also currently sits on the Board of Directors for the Coffee Bunker, a Tulsa non-profit, that seeks to meet veterans "where they are" and help them transition to family and community life following their service.

Before his retirement in 2017, Jim served at the Community Service Council beginning in 1980, retiring as the Associate Director. Mr. Lyall helped spearhead many of the programs that help to make the Community Service Council a premier service organization in Oklahoma and, in spite of his retirement, remains active with the Council. He currently serves as a Resource Member for the Community Service Council and is active in their Oklahoma Veteran Alliance program.

Jim Lyall lives a life of unmatched dedication, sacrifice, and service to our great nation. He answered the call to defend freedom across the globe and sacrificed whatever was necessary in the name of that noble cause. He continues to serve our country, community, and his fellow veterans at a high level on a daily basis. It is my honor to recognize Jim Lyall as the 1st Congressional District of Oklahoma's January Veteran of the Month.

## WHY IMPOUNDMENT CONTROL ACT MATTERS

SPEECH OF

### HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2020

Mr. YARMUTH. Madam Speaker, I include in the RECORD the letter to the Office of Management and Budget questioning the Trump Administration for declaring bogus national emergencies to usurp funds Congress appropriated for military construction and counter-narcotic initiatives to use for the President's border wall. I am submitting this in the RECORD to help inform the public of the Administration's systematic disregard of Congress' constitutional authority, separation of powers principles, and the Impoundment Control Act.

MARCH 8, 2019.

The Hon. RUSSELL VOUGHT, Acting Director,

Office of Management and Budget.

DEAR ACTING DIRECTOR VOUGHT: The President's announcement to spend up to \$6.725 billion in additional funding for construction of a border wall or barrier came at the end of bipartisan negotiations on an agreed-to funding level of \$1.375 billion for Fiscal Year (FY) 2019 for border security. The executive action plan further specified that the \$6.725 billion would be used sequentially as follows: \$601 million from the Treasury Forfeiture Fund, up to \$2.5 billion under the Department of Defense funds transferred for Support for