

Speaker, I would like to again formally congratulate Lexi Rodriguez on being named the 2019–2020 Gatorade Illinois Volleyball Player of the Year.

NEVER AGAIN EDUCATION ACT

SPEECH OF

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 2020

Mr. ENGEL. Madam Speaker, I rise to speak in favor of H.R. 943, the Never Again Education Act.

Monday, we recognized International Holocaust Remembrance Day, which marks 75 years since the liberation of the Auschwitz death camp. The Holocaust is a crime without parallel. And how we deal with its memory defines us as a people and as a country.

As we look back at one of the darkest chapters in history, it is also our duty to look forward.

Antisemitism is on the rise and hatred and intolerance seem to spread unchecked. This cannot stand. As we honor the memory of those who came before us, we must recommit ourselves to securing a bright future for the next generation.

To ensure this, we must continue to educate younger generations on the atrocities of the Holocaust and how it could occur. That is why I strongly support H.R. 943. It is critical that the Department of Education provide the funds needed for schools to implement Holocaust education programs into their curriculum, so students understand the history of the Holocaust. I urge the Senate to pass this bill immediately.

PERSONAL EXPLANATION

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. KELLY of Mississippi. Madam Speaker, I was unable to vote on January 28, 2020 due to National Guard obligations.

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.

RECOGNIZING JOHN JOHNSON ON HIS RETIREMENT FROM THE HOUSE ARMED SERVICES COMMITTEE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. SMITH of Washington. Madam Speaker, on behalf of the House Armed Services Committee, I rise to honor and express gratitude to Mr. John Johnson for his illustrious career serving his country upon his retirement. Known as JJ to his friends and family, his long career is marked with distinction and praise from his colleagues who consider him an exemplary patriot and an embodiment of what it means to dedicate one's life to service.

Born in Georgetown, South Carolina, Mr. Johnson's service to our country started in 1969 when he joined the U.S. Air Force. He served in the prestigious Air Force Honor Guard and, later, in the Air Force Legislative Liaison Office at the Pentagon, rising to the rank of Senior Master Sergeant. After 20 years of service, Mr. Johnson retired from the Air Force but chose to stay in Washington to join the Capitol Hill Police Department, where he served for another 20 years. During his four decades of service, he supported over 100 Congressional Delegation trips and served in every Presidential Inauguration since President Nixon.

In 2009, Mr. Johnson retired from the Capitol Police but again chose to serve the public by joining the House Armed Services Committee. Over the past decade, he has supported the Committee with all hearings, meetings, and events. He has been an instrumental part of the committee's staff and although he kept a low profile, his impact is deeply felt and is a testament to his invaluable work and contribution. His presence will be sorely missed by his many colleagues who consider him a close friend, mentor, and inspiration.

Madam Speaker, it is with great pleasure that I recognize and thank John Johnson for his many years of service to this country and the House Armed Services Committee. I wish him a happy retirement, to be enjoyed with his friends and family.

CELEBRATING THE 10TH ANNIVERSARY OF NAPERVILLE FIRE STATION 10

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2020

Mr. FOSTER. Madam Speaker, I rise today to recognize the 10th anniversary of Naperville Fire Station 10. Opened in 2010, Fire Station 10 has allowed the Naperville Fire Department (NFD) to provide greater service to the citizens of Southwestern Naperville. It is also the first fire station in Naperville to receive a leadership in Energy and Environmental Design (LEED) certification, reflecting the NFD's commitment to sustainable decision-making.

The NFD provides fire protection for more than 146,000 people and employs 200 full-time personnel. I would like to thank the Naperville Fire Department and all Naperville emergency service workers for the lifesaving work they do for our community.

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 Government Accountability Office's January 16, 2020 legal opinion finding that the Trump Administration's Office of Management and Budget violated the Impoundment Control Act of 1974 by withholding foreign aid. 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.

GAO DECISION

Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance.

File: B-331564.

Date: January 16, 2020.

DIGEST

In the summer of 2019, the Office of Management and Budget (OMB) withheld from obligation funds appropriated to the Department of Defense (DOD) for security assistance to Ukraine. In order to withhold the funds, OMB issued a series of nine apportionment schedules with footnotes that made all unobligated balances unavailable for obligation. Faithful execution of the law does not permit the President to substitute his own policy priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act (ICA). The withholding was not a programmatic delay. Therefore, we conclude that OMB violated the ICA.

DECISION

In the summer of 2019, OMB withheld from obligation approximately \$214 million appropriated to DOD for security assistance to Ukraine. See Department of Defense Appropriations Act, 2019, Pub. L. No. 115-245, div. A, title IX, §9013, 132 Stat. 2981, 3044-45 (Sept. 28, 2018). OMB withheld amounts by issuing a series of nine apportionment schedules with footnotes that made all unobligated balances for the Ukraine Security Assistance Initiative (USAI) unavailable for obligation. See Letter from General Counsel, OMB, to General Counsel, GAO (Dec. 11, 2019) (OMB Response), at 1-2. Pursuant to our role under the ICA, we are issuing this decision. Congressional Budget and Impoundment Control Act of 1974, Pub. L. No. 93-344, title X, §1015, 88 Stat. 297, 336 (July 12, 1974), codified at 2 U.S.C. §686. As explained below, we conclude that OMB withheld the funds from obligation for an unauthorized reason in violation of the ICA. See 2 U.S.C. §684. We also question actions regarding funds appropriated to the Department of State (State) for security assistance to Ukraine.

OMB removed the footnote from the apportionment for the USAI funds on September 12, 2019. OMB Response, at 2. Prior to their expiration, Congress then rescinded and reappropriated the funds. Continuing Appropriations Act, 2020, Pub. L. No. 116-59, div. A, §124(b), 133 Stat. 1093, 1098 (Sept. 27, 2019).

In accordance with our regular practice, we contacted OMB, the Executive Office of the President, and DOD to seek factual information and their legal views on this matter. GAO, *Procedures and Practices for Legal Decisions and Opinions*, GAO-06-1064SP (Washington, D.C.: Sept. 2006), available at www.gao.gov/products/GAO-06-1064SP; Letter from General Counsel, GAO, to Acting Director and General Counsel, OMB (Nov. 25, 2019); Letter from General Counsel, GAO, to Acting Chief of Staff and Counsel to the President, Executive Office of the President (Nov. 25, 2019); Letter from General Counsel, GAO, to Secretary of Defense and General Counsel, DOD (Nov. 25, 2019).

OMB provided a written response letter and certain apportionment schedules for security assistance funding for Ukraine. OMB Response (written letter); OMB Response, Attachment (apportionment schedule). The Executive Office of the President responded to our request by referring to the letter we had received from OMB and providing that