House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. Cuellar).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, February 5, 2020.

I hereby appoint the Honorable Henry Cuellar to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TELEHEALTH INCREASES ACCESS TO CARE FOR MONTANANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montana (Mr. Gianforte) for 5 minutes.

Mr. GIANFORTE. Mr. Speaker, many Montanans live in frontier and rural areas where access to doctors and specialists is a big challenge. They don’t worry about when they can see a doctor; they worry if there is even a doctor to see.

For Montana seniors with mobility issues, getting out to see a doctor can be difficult and can delay their care leading to worse health outcomes. Montana, unfortunately, also has the highest suicide rate in the Nation. Thousands of Montanans lack adequate access to mental healthcare. Telehealth can fix these problems. Telehealth increases access to care, brings down healthcare costs, and, in some cases, saves lives.

Unfortunately, Federal telehealth programs have been poorly managed. Currently, 10 different Federal agencies operate telehealth programs with little or no coordination between them.

That is why Chairwoman Eshoo and I have worked for months on ways to improve and increase telehealth services. I appreciate her leadership on this important issue.

Today, we introduce the National Telehealth Strategy and Data Advancement Act. Our bill reauthorizes telehealth grant programs, provides greater oversight of Federal agencies, and helps implement telehealth programs across the country.

Using modern technology to make healthcare more accessible is a commonsense solution. It will particularly help us with our rural doctor shortage in Montana.

This bill will ensure that patients can have access to doctors and specialists in a way that is convenient for them.

I look forward to working on this bipartisan bill. It is a critical step as we ensure all Americans, particularly those in our rural and frontier areas, have access to better, affordable healthcare.

GUN VIOLENCE SURVIVORS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DeFazio) for 5 minutes.

Mr. DeFAZIO. Mr. Speaker, last week, the House passed the Bipartisan Comprehensive Background Checks Act, passed on February 27. No action in the Senate. The Enhanced Background Checks Act passed February 28—bipartisan. Again, no action in the Senate.

Every year, guns are sold to people who aren’t supposed to have them—including at that horrible church shooting a couple of years ago—because of a mandate that, if there is confusion over a background check, they have to get the gun within 3 days.

Over the last 10 years, 35,000 guns, because of that provision, were sold to people who were not qualified under Federal law to have the guns. And guess what. Then the Feds contact the FBI who screwed up the background check, contacts the local law enforcement and says, “Hey, go get the gun full of exaggerations, half-truths, and outright falsehoods. The President pretended to have addressed, or was going to address, concerns of the American people.

He said he is taking care of prescription drugs. Yeah. Really. They haven’t done a damn thing. We sent a bill to the Senate and it is sitting there.

Second, he said, oh, we are going to protect preexisting conditions. Funny thing, his Attorney General is in court arguing that those preexisting conditions should no longer be protected. But, hey, what the heck.

And then he did devote one sentence—one sentence—to infrastructure. What happened to the $2 trillion plan he campaigned on and carries on about all the time? Well, so far, he has only proposed cuts. But one issue of vital concern to the American people that is the focus this week—this is National Gun Violence Survivors Week—did not receive a single mention by the President, despite the fact that several commonsense bipartisan reforms and programs have passed this House and have received no action in the Senate in a year.

H.R. 8, the Bipartisan Comprehensive Background Checks Act, passed on February 27. No action in the Senate. The Enhanced Background Checks Act passed February 28—bipartisan. Again, no action in the Senate.

Every year, guns are sold to people who are not supposed to have them—including at that horrible church shooting a couple of years ago—because of a mandate that, if there is confusion over a background check, they have to get the gun within 3 days.

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from that felon,” endangering our local law enforcement.

This would plug that loophole.

The Violence Against Women Act Re-authorization passed April 4. No action in the Senate. And, for the first time in 20 years, we are going to do some research on gun violence. There are other bills we should be doing.

In my State, we have adopted red flag laws. And over here, they say, well, we can’t have red flag laws for abusers because of their constitutional right.

Well, we have set it up in a way that we have had 160 petitions for red flag restrictions. Most of them—actually, the majority—were for people at risk of suicide; and then a minority were for abusive relationships, and 32 of those were denied by a judge.

Due process was followed, but lives were saved. But, no, we can’t take that.

Bump stocks, we banned fully automatic weapons decades ago. Bump stocks, essentially, turn a semiautomatic into a very inaccurate, nearly full automatic in terms of ready to fire. But if you are shooting at a stadium full of people, it doesn’t matter how inaccurate it is; you are going to hit a lot of people.

We can’t even bring up legislation—or, well, the Republicans won’t support legislation to ban bump stocks, hate crimes legislation, the list goes on.

Just one other quick issue. You can go online to armslist.com, and if you are not eligible to buy a gun, you can get one. It is very evident that, in study after study done, that many of the people selling guns on armslist.com are felons and not allowed to own firearms, and they will sell to other felons. It will say: No background check necessary. Will cross State lines—all sorts of things like that.

All those things need to be banned. Those are commonsense gun violence reforms.

And, in this week, just, really, this week, National Gun Violence Survivors Week, let’s do something to end the bloodshed.

RECOGNIZING THE KANSAS CITY CHIEFS, SUPER BOWL CHAMPIONS, AND BOB DOLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. MARSHALL) for 5 minutes.

Mr. MARSHALL. Mr. Speaker, much like America’s great comeback that President Trump described at his State of the Union message last night, this past Sunday, my team, the Kansas City Chiefs, had a miracle comeback victory in the fourth quarter of Super Bowl LIV.

After 50 years, the Chiefs are once again Super Bowl champions. As a born-and-raised Chiefs fan, watching them win the title was a dream come true.

Of course, we all saw the game, but just before it started something happened that you may have missed. During the singing of the national anthem, just past the end zone, my mentor and friend, 96-year-old Senator Bob Dole, who was seriously wounded during his service in World War II, insisted on standing up out of his wheelchair during the performance. And with a little help, that is exactly what he did.

In an age when people can’t even agree in honoring our flag, it is powerful to see one of our Nation’s greatest heroes from our Greatest Generation continue to show us the way.

Thank you, Bob, for your patriotism and love of country.

And congratulations to my Super Bowl champions, the Kansas City Chiefs.

CHASING AT THE IOWA CAUCUS

Mr. MARSHALL. Mr. Speaker, on Monday, we all saw the Iowa caucus and the chaos that Democrats are offering—chaos, along with higher taxes and Medicare for all that takes away the insurance that you get at your job.

As Senator Grassley and the Leader McConnell said yesterday, these same Democrats who want to take over everyone’s healthcare and micromanage the entire economy couldn’t even organize their own traditional Iowa caucuses.

Contrast this last night at the State of the Union message when President Trump talked about the strongest economy of our lifetimes, including record job and wage growth. We saw how the President wants to bring real results, more trade deals for Kansas, and a safer, more secure America. You can count on me that I will be standing beside him to help deliver those results.

The Democrats offer chaos, higher taxes, and poverty. President Trump and the Republicans offer prosperity, hope, and security.

CREATING A PROGRAM WITHIN THE VA TO GIVE VETERANS ACCESS TO SERVICE DOGS

Mr. MARSHALL. Mr. Speaker, tonight the House will vote to pass the PAWS for Veterans Therapy Act, which will create a program within the VA to give veterans access to treatment by working with service dogs.

Midwest Battle Buddies is an organization based in Kansas that works with veterans who are suffering from PTSD or other service-related issues. The veterans are paired with a dog and attend weekly sessions to train the dogs. Once the training is completed, the dogs become their service dogs.

According to Chip Neumann, president of the organization, therapy dogs provide veterans unconditioned love. They do not judge their owners when they have breakdowns from stress or bringual triggers to deliver emotional results, more trade deals for Kansas, and a safer, more secure America. You can count on me that I will be standing beside him to help deliver those results.

The Democrats offer chaos, higher taxes, and poverty. President Trump and the Republicans offer prosperity, hope, and security.

HONORING GUN VIOLENCE SURVIVORS’ WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Georgia (Mrs. McBATH) for 5 minutes.

Mrs. McBATH. Mr. Speaker, I rise in honor of Gun Violence Survivors Week because I, too, am a survivor.

This week, just a month into the new year, there will have been more gun deaths in the United States than our peer countries will experience in an entire year—one month.

I wear black today. I wear black all week long to stand for every survivor, every victim, every family that mourns the unnecessary gun deaths that happen each and every single day.

I met earlier this week with Mary Miller-Strobel, whose brother, Ben, was a combat veteran suffering from depression and PTSD. Ben had lost 30 pounds after his tour. Returning home, his father asked him about his weight loss. Ben replied that he couldn’t eat, and he said: “I just can’t stand being out there. Dad. It smells like death.”

Ben was seeking treatment at a local VA hospital, but his family continued to worry about him. They worried that, in a moment of desperation, Ben might end his own life.

Mary and her family drove to every gun store in their area. At each store, they showed photos of Ben, pleading with them not to sell him a gun.

Ben Miller died by suicide. He used a gun that he bought at a local gun store.

Too often we are told that we must accept these tragedies. We are told that, instead of changing our laws, we must have more active shooter drills, more first graders coming home with tears in their eyes, 6-year-olds asked to decide for themselves whether they are more likely to survive by hiding in a closet or if they should rush the gunman; more mothers reading messages from their children as they are locked in school and they are pleading: Mom, if I don’t make it, I love you, and I appreciate everything that you have done for me; more vigils each and every day for those that we continue to lose.

Too often, we are told that we must accept these tragedies. I refuse to accept that. Millions of Americans across the country refuse to accept that. This Congress should refuse to accept that.

We refuse to accept that, because we have passed bipartisan legislation that will help save lives, legislation like the Bipartisan Background Checks Act, a commonsense bill that will keep guns away from those who should not have them.
We have passed H.R. 1112, the Enhanced Background Checks Act of 2019, which would close the Charleston loophole.

We have passed a bill that gives the CDC and the NIH $25 million to study gun violence, the first of its kind in over 20 years.

I have even introduced a bill that would give loved ones and law enforcement more tools to keep guns away from those who are a danger to themselves or to others; tools that may have helped Mary save her brother, Ben’s life.

With every unnecessary shooting, we continue to feel the weight of this injustice; and I personally know that sense of injustice.

When my son, Jordan, was killed, I found myself asking America, how could you allow this to happen to my child, my family, to my Jordan? And after Parkland, I knew that this country needed to stand up and to do something about it.

I knew that I had something that I had to do, and I knew that I needed to stand up for families like mine in Marietta, Georgia, who are terrified that their children will not come home from school, and they are terrified of being me.

So I made a promise to my community that I would act. And I promised that I would take all the love and the support and protection that I had given to my child and use it to serve the American people. I promised I would always be a mother on a mission to save the lives of children from across America, children like my son.

During this Gun Violence Survivors Week, I pray that we all remember that this is in our hands. Families like Mary’s, children graduating from high school, communities in Charleston, in Columbine, in Parkland, in Sandy Hook, in Dayton, in El Paso, in Las Vegas, in the hundreds of places where shooters and shootings don’t even make the news. Their lives are in our hands.

I thank my colleagues, and survivors, and volunteers, and advocates across this country for their tireless work to protect our families.

May God bless us all in this fight to save American lives.

HONORING THE LIFE AND LEGACY OF OFFICER ALAN MCCOLLUM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas, the 10 minutes.

Mr. CLOUD. Mr. Speaker, I rise today with a heavy heart to honor and to mourn the loss of one of Corpus Christi Police Department’s finest, Officer Alan McCollum, who was tragically killed in the line of duty.

President Ronald Reagan once said: “There can be no more noble vocation than the protection of one’s fellow citizens.”

Officer McCollum was a compassionate, devoted, and admired public servant who dutifully worked to keep south Texas safe.

Before serving as a police officer, Officer McCollum served 21 years in the U.S. Army, earning the Bronze Star and numerous other accolades. Following the Army, his service to others continued by joining the Corpus Christi Police Department in 2013, where he was a valued member of the Honor Guard and SWAT.

Last year, he once again demonstrated his willingness to sacrifice his own safety for others by helping push an overturned car back on its wheels after it had caught fire, saving the life of the driver.

On Saturday, Officer McCollum paid the ultimate price, sacrificing himself, while upholding the rule of law.

Scripture tells us that the Lord is near to the brokenhearted and those who are crushed in spirit. Right now, so many of us, in Texas, the Corpus Christi Police Department, and the family of Officer McCollum, are brokenhearted.

Our prayers are that his family and friends touched by this tragedy, and especially his wife of 12 years, Michelle, and his three daughters, Hannah, Carissa, and Liliana, would feel the Lord near them during this difficult time. I extend my deepest condolences to them during this extremely difficult time.

HONORING THE SERVICE OF OFFICER MICHAEL LOVE

Mr. CLOUD. Mr. Speaker, this week, I had the opportunity to visit Corpus Christi Police Officer Michael Love in the hospital as he recovers from injuries he sustained in the line of duty.

Over the weekend, he was conducting a routine traffic stop when his patrol vehicle was struck, pinning him down. I had heard from many of his fellow officers of his optimistic and indomitable spirit, which I had the opportunity to witness firsthand when I visited him and his family in the hospital. He told me that, despite everything he is going through, even knowing the months of recovery that lie ahead, he would still sign up to serve our community as a Corpus Christi police officer.

We cannot express our gratitude enough for his sacrifice and his bravery.

We must continue to pray for the safety of all our first responders, and support them as they protect us, as well as their families, who they hug a little bit tighter every day as they face the dangers that lie ahead.

We are thankful for the loving, brave, and tragic man that is Officer Michael Love, and for those who serve with him.

GUN VIOLENCE SURVIVORS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Jersey (Mrs. Watson Coleman) for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, first of all, let me say that my heart hurts for my colleague and my sister, LUCY MCBATH, as she confronts on a daily basis the pain of our failure to act on sensible gun safety legislation.

I rise today, as many of my colleagues will, almost one year since the House took the steps to curb violence by passing H.R. 8, a bill that has yet to receive any consideration in the Senate.

We are in the middle of Gun Violence Survivors Week. Yet, despite survivors’ calls for action; despite the calls of parents and friends who have lost loved ones to guns; despite the calls from our young people who just want to be safe in school; and despite our calls of the communities who want to be safe in their homes, we have yet to get H.R. 8, or any other gun violence bill considered in the Senate.

The paralysis around preventing gun violence is disgusting, and it is deadly.

This story line that preventing people from buying assault weapons or stockpiling ammunition is somehow infringing upon their rights is deeply hurtful, and it is wrong thinking.

Including suicides by guns, there were 177 deaths on New Year’s Day alone. There were three mass shootings, and the lives lost included three children between the ages of 12 and 17.

That’s just one day, the first day of this year. Yet, Republicans in the Senate continue to refuse to move any bill that might keep more families from getting that phone call.

There are so many options available to us. There is the baseline, bipartisan bill, like, H.R. 8, that we have already passed in the House. There are bills that would go even further, like my own Handgun Licensing and Registration Act of 2019, and the Stop Online Ammunition Sales Act of 2019.

These would require registration for handgun purchases, just like the government requires registration and basic standards for voting, operating a vehicle, even opening a business. It would ensure accountability and allow enforcement to identify threats.

The other places a very basic principle into law; that you shouldn’t be able to stockpile bullets without ID or without law enforcement being aware.

Mr. Speaker, there are bills that would keep guns out of the hands of violent criminals, and bills that would push us to study gun violence as the health crisis it is. So far, none of these seem to be good enough for most of my colleagues on the other side of the aisle, or the other side of the Capitol.

We are approaching a point from which we cannot return, where failure to act will normalize gun violence in our schools, in our neighborhoods, and in our society.

Our survivors that we honor today, the families of those we have lost, and the countless Americans who wonder if they might be next deserve so much more from us.
I stand here today representing all of the loss of the survivors and what they have experienced. But I stand here, representing the hope that my granddaughter, Kamryn Anne Marie Watson, is safe in her school, just like all of the other children should be. Nothing less is acceptable.

PROTECTING THE RIGHT TO ORGANIZE

The SPEAKER pro tempore (Mrs. Torres of California). The Chair recognizes the gentleman from North Carolina (Mr. Budd) for 5 minutes.

Mr. BUDD. Madam Speaker, tomorrow, the House will vote on the Protecting the Right to Organize Act of 2019, or the PRO Act. This legislation is a liberal wish list that represents a draconian overhaul of our Nation’s labor laws at the expense of employers, workers, and economic growth, while strengthening the authoritarian power of big labor.

Madam Speaker, despite the fact that the National Labor Relations Board and the U.S. Supreme Court have recognized that there should be ample time for uninhibited, robust, and widespread debate in labor disputes, the PRO Act deliberately speeds up election processes so that employees don’t have time to learn about the potential downsides of joining a union.

Specifically, the bill codifies the provisions of an NLRB regulation called the “ambush election rule” which significantly shortens the time span in election processes. Democrats purposely inserted this provision because they know union bosses are more likely to win elections when employees are uninformed about the downsides of union membership.

Second, the PRO Act increases liability for businesses by dramatically expanding the definition of “joint employer” to also include indirect control and unexercised potential control over employees. These terms are incredibly broad and ambiguous, meaning businesses could find themselves held liable for labor violations committed by another business when they might not have even been aware that they were considered a joint employer in the first place.

Even worse, the risk of increased liability incentivizes large businesses to consider being a joint employer in the first place to avoid lawsuits. This chilling effect hurts, again, both workers and consumers alike.

The PRO Act also compels private-sector employees to either join a union or risk being fired. The bill abolishes the State Right to Work Laws which allow workers the freedom to choose whether or not they want to pay fees to a union.

If Right to Work Laws are repealed, not only will unions gain unprecendented new power, but economic growth and employment will suffer. A 2018 study by the National Economic Research Associates found that between 2001 and 2016, States with Right to Work Laws saw private-sector employment grow by 27 percent; while States without Right to Work Laws grew only 15 percent.

To top it off, the PRO Act strips workers of their right to cast anonymous ballots in union elections. Under current law, workers are able to anonymously oppose joining a union by casting “secret” and unpublicized ballots. However, this PRO Act abolishes this practice and forces employees to make their choice public about unionizing, which makes it easier for unions to intimidate and threaten workers who do not want to join.

Senior fellow at the Mackinac Center for Public Policy, Vincent Vernuccio, has said: “The secret ballot is a bedrock principle of democracy. It allows people to vote the way they feel without fear of reprisal. Without it, those who hold the elections would hold all the power.”

This bill should be opposed by anyone who is concerned with worker freedom and continuing our country’s economic boom. The PRO Act needs to be permanently benched.

RECOGNIZING NATIONAL GUN VIOLENCE SURVIVORS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. Soto) for 5 minutes.

Mr. SOTO. Madam Speaker, today, it is with a heavy heart and deep sense of loss that I rise because it is National Gun Violence Survivors Week, a time when we focus on sharing and amplifying the stories of gun violence survivors who live with the impacts of gun violence every day.

I recall the morning of June 12, 2016, when my wife and I were awakened at 6 in the morning by a barrage of texts because the unthinkable happened to our happy little town of Orlando, Florida. Gun violence on a massive scale had reared its ugly head at a place where people just wanted to have a good time at the Pulse nightclub.

We lost 49 Americans that day, 49 of my fellow Orlandoans who were just there to enjoy friendship and camaraderie. Their lives were taken away too early. We also have to focus on the 53 who were wounded, the survivors of the Pulse nightclub tragedy. One of them is a coworker of mine, Ramses Tinoco.

Ramses is a paralegal who was good spirited, hard-working, and always excited about the job. Suddenly, for several weeks, he wasn’t able to come back to work, or at least in a regular fashion. I remember talking to him about what it was like to be there. It was hard for him to talk about it, and I don’t blame him because no one should have to see those types of horrors.

Another good friend of mine, Ricardo Negron-Almodovar, a lawyer in Puerto Rico who came to central Florida for a new start, and within less than a year of living in Orlando, he faced this vicious tragedy. But he has been fighting back. He is now on the Pulse national memorial advisory committee. We have a bipartisan bill going through the House that would make it a national memorial to remember those 49 we lost and those 53 wounded survivors.

But I also want to talk about the folks who take care of the survivors.

Terry DeCarlo, who is pictured here on the far right, was retiring the Monday after the Pulse nightclub shooting from the LGBT+ Center in Orlando. Terry couldn’t retire when his commute to work included walking by the Pulse nightclub, one that could do unspeakable carnage even before police could get on the scene.

During that time, all Terry thought about was others. It was only a few months after he retired a year-plus later that he found out that he had advanced stages of cancer that was teeming through his jaw. One can only wonder whether, if he wasn’t so busy, he might have gotten treatment or had noticed beforehand. But that wasn’t Terry.

Terry cared about others. Terry lived to serve, and we just lost him last month. It is a sad tragedy, but Terry’s legacy will be remembered.

We also have to honor with action, with real solutions. The shooter in this instance had a SIG Sauer MCX semi-automatic rifle, a weapon of war made for battlefields, not for a suburban nightclub, one that could do unspeakable carnage even before police could get on the scene.

There are things that are even more common ground than assault weapons bans. Our House passed a bipartisan universal background checks bill to make sure that, simply, those who aren’t supposed to have guns don’t get them. With giant loopholes for gun shows and private sales, this just doesn’t make sense. It is time to pass it.

Also, the Charleston loophole, where we saw someone put a false address, and when the background check didn’t come back, he automatically got his guns and shot up a church in Charleston.

It is time for action.
ADDRESSING SERIOUSNESS OF SLAVERY AND HUMAN TRAFFICKING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. BACON) for 5 minutes.

Mr. BACON. Madam Speaker, I rise today to address a serious issue that affects millions of people around the world, to include many Americans: slavery and human trafficking. Despite major progress, many countries still struggle to define and understand human trafficking operations and how to combat it.

Most of us assume that human trafficking transports people only internationally. In reality, the 2019 Trafficking in Persons Report showed that a majority of human trafficking survivors were identified in their countries of citizenship. While women and children may account for the majority of people trafficked, adolescent boys and men also have been victims of this modern-day slavery.

Everyone is vulnerable to human trafficking. Trafficking occurs in places like your neighborhood, your school, your workplace. The Department of Homeland Security, and the Department of Justice, Department of the Treasury, and local law enforcement for their diligent work in enforcing laws that a majority of Americans support must be our top priority. At the same time, we have to begin addressing the root cause of gun violence in our communities, which is a revolving door phenomenon. Victims of gun violence are caught up in the drug wars, the culture of retaliation, and disrespect.

In fact, the rate of violent re-enactment at most of the Nation’s trauma centers is as high as 45 percent. One of the leading risk factors for violent injury is prior violent injury.

While these victims are recuperating in the hospital, they are a captive audience. They are confined to bed, if only for a few days. This offers a window of opportunity where we can offer support when they most need it.

I am in the process of finalizing bipartisan, bicameral legislation with my colleague Congressman KINZINGER from Illinois, and our measure creates a new grant program to provide the resources and tools that will help them navigate life and successfully transit into adulthood.

I know the power of mentorship firsthand. I joined the Air Force in 1985 after a faith-based mentor saw where my talents leaned, and I would never have been a five-time commander nor a general officer without thoughtful mentorship.

In my district, MENTOR Nebraska has partnered with 26 Omaha public schools to implement a mentoring program called Success Mentors, which serves over 600 youth. Within the last 2 years, the percentage of mentored youth in North Omaha increased by 150 percent. In the last 5 years, the percentage of mentored juvenile justice youth increased by 250 percent. In addition to a number of positive benefits associated with increased mentorship, this program has shown an improvement in school attendance—by over 50 percent in one school alone.

Congress must partner and support State and local governments and nonprofits so they can continue to prioritize new ways and approaches for serving at-risk or disadvantaged youth and connect them with caring adults who will help them navigate life and be their support system.

That is why I am an original co-sponsor of H.R. 3061, the Foster Youth Mentoring Act of 2019, which addresses the need for greater support of mentoring programs that serve youth in foster care by developing best practices and quality mentoring standards when searching for and hiring mentors.

I thank our Nation’s mentors, who are actively strengthening our communities and making a difference in the educational, personal, and professional lives of today’s youth. Additionally, I urge my colleagues from both sides of the aisle to commit to improving our youth’s outcomes and futures by supporting legislation like H.R. 3061.

RECOGNIZING GUN VIOLENCE SURVIVORS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. RUPPERSBERGER) for 5 minutes.

Mr. RUPPERSBERGER. Madam Speaker, this week, we recognize Gun Violence Survivors Week across our country. In my district alone, there have been 331 gun-related deaths and 716 injuries, including seven mass shootings over the last 7 years.

There are two sides of the coin when it comes to ending gun violence. Implementing commonsense gun safety measures that a majority of Americans support must be our top priority. At the same time, we have to begin addressing the root cause of gun violence in our communities, which is a revolving door phenomenon. Victims of gun violence are caught up in the drug wars, the culture of retaliation, and disrespect.

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HONORING EDDIE BRIDGES

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Madam Speaker, I rise today to recognize Eddie Bridges of Greensboro, North Carolina.

Members of Congress rarely get the opportunity to honor those who have truly dedicated their lives to the public good. That is because it is increasingly
Rare to encounter those who are truly selfless, truly dedicated to a cause larger than themselves, and who truly care about preserving the best of our natural resources for future generations. Greensboro’s Eddie Bridges is such a person.

Madam Speaker, Eddie is an unselfish leader whose love of the outdoors and sportsmen’s community has led him to become one of the most effective conservation leaders in the history of North Carolina.

On behalf of North Carolina’s congressional delegation, I want the world to know what an impact Eddie has made and to thank him in this official salute, which nobody has ever deserved more.

Madam Speaker, Eddie founded the North Carolina Wildlife Habitat Foundation, which raised $5 million and has funded $1.5 million in conservation projects across North Carolina.

Eddie has been the driving force behind wildlife resource improvements that will benefit future generations forever. Thanks to Eddie’s persuasive abilities and creative thinking, he has recruited the State of North Carolina and others to join him—to the tune of millions of dollars in projects—to improve wildlife restoration, water quality, and habitats statewide.

Eddie’s foundation has funded, for example, a quail habitat project in the Sandhills Game Land, a bass habitat project at Jordan Lake, a North Carolina State University black bear research project in Hyde County, and created the Frank A. Sharpe Junior Wildlife Education Center in Guilford County.

We can all thank Eddie Bridges for the idea to create the North Carolina Wildlife Resources Commission’s Wildlife Education Center, which currently has $130 million in assets and has funded $70 million for wildlife restoration and habitat improvements.

Madam Speaker, Eddie also helped create the State waterfowl stamp and State income tax checkoff for nongame and endangered wildlife, which together have raised $10 million for nongame wildlife and waterfowl projects. The endowments founded by Eddie have raised more than $200 million to preserve and improve our natural habitat areas.

Eddie served 12 years on the North Carolina Wildlife Resources Commission after being appointed by Governor Hunt. He has received top national awards, including the Field and Stream Conservation Hero of the Year Award, the Budweiser National Conservationist of the Year Award, the prestigious Feinstone Award, the Thomas L. Quay Wildlife Diverity Award, and the Chevron Conservation Award. Last year, Eddie was inducted into the North Carolina Sports Hall of Fame.

But talk to Eddie and he will tell you these awards aren’t about him; they are about his desire to give something back. As Eddie said to the Wilmington Star-News last January: “It’s about much more than me. It honors the 1 million men, women, and children who hunt and fish and inject more than $1.3 billion into North Carolina’s economy every year.”

An accomplished athlete at Elon University, a leader in the sportsmen community, and a hunter and angler legend, conservationist Eddie Bridges has made a positive impact on North Carolina’s natural resources like no other before him.

Madam Speaker, on behalf of the entire delegation, I wish to thank Eddie for his years of service, his incredible resource development to strengthen our State’s wildlife, and the educational impact on our youth and future generations. It is truly an honor to know Eddie and to recognize him today.

**PRESIDENT TRUMP HIGHLIGHTS NUMEROUS SUCCESSES**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. SMITH) for 5 minutes.

Mr. SMITH. Madam Speaker, just over 12 hours ago, President Donald J. Trump stood in this Chamber and delivered an incredible State of the Union Address. He highlighted numerous successes during his time as President of the United States: Over 7 million jobs created; Record unemployment—record unemployment—for five decades; The lowest unemployment in over 70 years for women; Record unemployment for African, Hispanic, and Asian Americans; Doubling of the child tax credit from $1,000 to $2,000; Orchestrating phase one of the China trade agreement, which increases the amount of agriculture products that the Chinese have to purchase from American farmers—the largest purchase in the history of our country; Passing of the USMCA agreement. The President campaigned on it. It was a promise made. It was a promise kept; The largest military pay raise in the history of this country.

The President said he was going to build a barrier along the southern border. He highlighted 100 miles of it being finished in his State of the Union address yesterday, with 500 more miles still planned.

He highlighted how his administration has approved a record number of generic drugs, and, for the first time in over 50 years, drug prices have actually gone down.

He highlighted numerous successes that all Members of Congress who attended heard. It was unfortunate to sit in this Chamber and watch the Democrats on the other side not stand, not applaud for these successes for America, the way the people who sent us to Washington, the people we serve, the people who are our bosses. These are their victories. These are their successes. But just because they came out of the mouth of President Donald Trump, the Democrats oppose them.

Folks, that is chaos in government.

Ever since the Democrats took control of this Chamber, they have had one mission, one mission alone, and that is to remove the duly elected 45th President of the United States, Donald J. Trump.

Their mission wasn’t about lowering the cost of prescription drugs. Their mission was not getting government off the backs of small businesses, family farmers, and individuals. Their mission was about removing Donald Trump.

This partisan impeachment sham, this impeachment circus will be done today. In the United States Senate, President Donald J. Trump will be acquitted for life. You will see the process that happened in the case of Representatives was clearly a sham in impeaching the President of the United States.

It was so unfortunate yesterday to be sitting here and watching Speaker Pelosi, after the President, tear up the official speech of the President of the United States. That shows the true hatred that the Democrat socialists have for the President of the United States. That conduct is not fitting for the Speaker of the House.

When the Speaker tore up that State of the Union speech, she ripped up the words that recognized one of the last living serving Tuskegee airmen.

When she ripped up that speech, she ripped up the story of a 21-week-old surviving child who was born in a Kansas City, Missouri, hospital.

When she ripped up that speech, she ripped up the story, the recognition of the families of Rocky Jones and Kayla Mueller.

**RECOGNIZING MILKEN EDUCATOR AWARD RECIPIENT MELISSA FIKE**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mrs. HARTZLER) for 5 minutes.

Mrs. HARTZLER. Madam Speaker, the prestigious Milken Educator Awards have been called the Oscars of teaching. I rise today to pay tribute to a resident of Missouri’s Fourth District who was recently honored as one of the Milken Family Foundation’s outstanding educators.

Melissa Fike of Oakland Middle School of Columbia, Missouri, has taught for 14 years and was not told ahead of time about her award. She was shocked to hear her name announced during a recent school assembly packed by Oakland Middle School students and staff.

As a winner, she receives an award, the recognition of her colleagues, and a check for $25,000. Teachers make an indelible mark on the lives of young people through their kind words, encouraging smiles, impartation of knowledge, or by helping...
plant a seed that bears fruit in future years. Melissa Fike has distinguished herself and made an impact that will be felt for years to come.

Madam Speaker, I want to commend Melissa Fike on her great work making a difference in the lives of so many young people and congratulate her on this prestigious award.

RECOGNIZING MORRIS BURGER, FORMER PRESIDENT AND CEO OF BURGERS’ SMOKEHOUSE

Mrs. HARTZLER. Madam Speaker, it is with great pleasure that I share news of Morris Burger, former president and CEO of Burgers’ Smokehouse of California, Missouri, being inducted into the Meat Industry Hall of Fame.

After serving his country in the Army, Morris returned home to run the family business with the goal of producing the finest cured ham in the country. The business was extremely successful and expanded numerous times of a billet solely to the point that its business orders now exceed 500,000 hams and tens of thousands of pounds of bacon, sausage, and specialty meats each year.

Morris retired in the 1990s, and the business is now run by the third and fourth generations of Burger family members.

Morris Burger has left a legacy to be proud of as Burgers’ Smokehouse continues to provide quality, taste, and innovation, while playing an active role in the community and remaining an influential leader in the industry.

Congratulations, Morris Burger, for being inducted into the Meat Industry Hall of Fame—a well-deserved honor.

STOP DRUG SMUGGLING BY FILLING THE TUNNELS ASAP

Mrs. HARTZLER. Madam Speaker, last week, our U.S. Customs and Border Patrol agents announced the discovery of a sophisticated, illegal, 4,399-foot cross-border tunnel from Mexico into California built by the drug cartels.

Unfortunately, while the tunnel was first discovered in August of 2019, it still takes several months to close the tunnel as the agency completes a mandatory environmental review and a lengthy contractor bidding process.

In October of 2018, I visited the southern border and heard directly from Customs and Border Patrol agents in Arizona, and I heard a similar story.

The process of closing drug tunnels is arduous and time-consuming. It often takes years to abate this threat. That is unacceptable.

Last year, I introduced H.R. 3968, the Eradicating Crossing of Illegal Tunnels Act, to address these problems.

This bill expedites the approval process by eliminating unnecessary red tape currently preventing our CBP agents from addressing this critical vulnerability. It allows the Secretary of Homeland Security to waive the environmental review and for indefinite contracts to be secured so drug tunnels can be filled in a timely manner.

We need to ensure our Border Patrol agents have the tools necessary to efficiently and effectively remove illegal access into our country, hurting our community with illegal drugs. It is time to pass this crucial legislation, and I call on my colleagues to support my bill.

CAREER AND TECHNICAL EDUCATION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize February as Career and Technical Education Month. Each year, this month highlights the benefits of a skills-based education and the valuable contributions that CTE students make to the American workforce and the American economy.

More specifically, February 2 through February 8 is SkillsUSA Week. SkillsUSA is a leader in the CTE movement. This annual celebration represents nearly 370,000 SkillsUSA members across the country who are developing the personal, workplace, and technical skills necessary to earn and keep good-paying and rewarding jobs.

A one-size-fits-all approach to education is not an effective way to prepare students for the workforce. We are doing students a great disservice when we only promote what is considered a traditional college experience.

When we look at the potential of our Nation’s learners and contrast that with the 7 million unfilled jobs nationwide, clearly, there is a disconnect. This is often referred to as the skills gap, and CTE can help us bridge this divide.

Now, I have the privilege of serving as the co-chair of the bipartisan House Career and Technical Education Caucus alongside my colleague and good friend, Congressman JIM LANGEVIN.

Over the years, we have met with many educators, counselors, administrators, and students to better understand the resources necessary to support learners of all ages.

I am proud of the legislation that we have put forward to ensure students have the tools they need to pursue a rewarding education, and, eventually, a rewarding career.

With this kind of support, we can help every student and better prepare them for a 21st century workforce.

Most recently, that includes H.R. 5092, the Counseling for Career Choice Act, a bill that would invest in career counseling for high school students as well as professional development opportunities for the counselors who support them.

Career and technical education is not a plan B. It is a valuable educational option that is empowering learners of all ages to take control of their personal and professional futures.

To me, the ideal educational system is one that allows students to get in with as few barriers to entry as possible, get the education that they need, and get out. By providing students with a clear picture of what the workforce entails—or, more specifically, by investing in career and technical education—we can help make that a reality.

Madam Speaker, I am asking my colleagues to join me in celebrating Career and Technical Education Month by supporting the Counseling for Career Choice Act and other common-sense, bipartisan bills that help provide quality CTE opportunities to our Nation’s students.

RECESS

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

Accordingly (at 11 a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. S´ANCHEZ) at noon.

PRAYER

Rabbi Seth Frisch, New Shul of America, Rydal, Pennsylvania, offered the following prayer:

Almighty, I stand before You in prayer and in memory as I am reminded of Solomon, King of ancient Israel, who would preside over a most unusual judicial hearing, one in which two mothers would lay claim to the life of one child, a child they each would insist to be their own.

This parable allows us to see Solomon’s wisdom as preserving the nation, as we are sadly reminded, so soon after his death, that the kingdom is split asunder.

I, too, am reminded of Abraham Lincoln, when he spoke with prophetic-like prescience: “A house divided cannot stand,” which was soon to become a war of brother against brother. From this we would soon learn that our future lies not in enmity, but in unity.

For, Lord, the Book of Leviticus, from Your Torah, teaches us in words inscribed upon the Liberty Bell in Philadelphia: “Proclaim liberty throughout the land, to all of the inhabitants thereof,” thus uniting one of our Nation’s ideals, “e pluribus unum,” out of the many, one.

Lord God, the Founders of this Nation understood our strength to be in the celebration of our differences while assiduously working to put our divisions behind us.

And so it is, Dear God, that we pray You remain with us. Continue to guide all of us in realizing the dream of this great country, to be a Nation indivisible, a Nation seeking liberty, and above all, a Nation providing liberty and justice to all.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof. Pursuant to clause 1, rule 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. LAHOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. LAHOOD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING RABBI SETH FRISCH

The SPEAKER pro tempore. Without objection, the gentleman from Rhode Island (Mr. CICILLINE) is recognized for 1 minute.

There was no objection.

Mr. CICILLINE. Madam Speaker, I rise today to welcome Rabbi Seth Frisch, who delivered today's opening prayer to the people's House.

Since his ordination in 1986, at the Jewish Theological Seminary of America in New York, Rabbi Frisch has been a source of comfort and counsel to Jews around the world. In his current posting as rabbi and teacher of the New Island (Mr. CICILLINE) is recognized for 1 minute.

Mr. CICILLINE. Madam Speaker, I rise today to address the House for 1 minute and to revise and extend his remarks.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize and thank one of the most productive, job-producing constituents in my district, Punxsutawney Phil.

Over the weekend, Punxsutawney Phil delivered us some good news: He predicted an early spring for the second year in a row.

But that is not the only good news. Groundhog Day draws tens of thousands of tourists to Jefferson County each year, which boosts revenue at local restaurants, hotels, and other small businesses.

Last week, activists claimed that Punxsutawney Phil should be replaced by an animatronic groundhog powered by artificial intelligence. Well, I believe in creating jobs, not eliminating them. And Punxsutawney Phil is no exception. I will always stand up for the hardworking men, women, and rodents in the 15th District of Pennsylvania.

In all seriousness, Groundhog Day brings together people of all different backgrounds, and this fun family celebration reminds us of the importance of tradition. It is not only an economic stimulus in the district, but it is also a great source of pride.

PUNXSUTAWNEY PHIL

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize and thank one of the most productive, job-producing constituents in my district, Punxsutawney Phil.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

Mr. QUIGLEY. Madam Speaker, I rise in recognition of National Gun Violence Survivors Week, a time when we remember the tragic and life-altering impact of the gun violence epidemic that continues to affect thousands of families across the country.

Every year, 36,000 Americans are killed by gun violence and 100,000 Americans are injured. In my city alone, an average of 765 people die of gun violence every year.

Too many families have been touched by this violence. Too many young people go to school afraid. Too many Americans live in fear.

Last night, the President's State of the Union only mentioned firearms once. And instead of presenting a plan, it defended the NRA.

We owe it to every survivor and to everyone who has been touched by gun violence to do more than hold a moment of science or post a hashtag on Twitter. We owe the American people real action.

PUNXSUTAWNEY PHIL

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to highlight the importance of protecting the Second Amendment to the Constitution.

In my district, Commissioners in Davidon, Davie, Iredell, and Rowan Counties in North Carolina recently passed resolutions that simply affirm the Second Amendment rights of their residents and declare that these counties will never participate in the infringement of those rights through unconstitutional gun control.

Anti-gun politicians in neighboring Virginia and other States are trying to undermine and overturn the Second Amendment. That is why these measures in my State are both necessary and timely.

I commend these counties, and I remain fully committed to defending the rights of responsible, law-abiding gun owners.

Madam Speaker, it is a people problem, not a device problem.

GUN VIOLENCE IS AN EPIDEMIC

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

Mr. CARBAJAL. Madam Speaker, I rise today because there is an epidemic in our country. One hundred Americans die every day from gun violence. We are 25 times more likely to die from guns than people who live in comparable nations.

Gun violence is personal to me. When I was a young boy, my sister took her life with my father’s revolver. In 2014, my community was devastated by the Isla Vista shooting that killed six people and left 14 injured.

I rise because there are commonsense solutions to curb this violent trend. One of those is my bipartisan Extreme Risk Protection Order Act of 2019, which will help ensure people who have demonstrated that they are at risk of hurting themselves or others temporarily don’t have access to guns. The bill passed out of the committee. I now call on the House to bring this legislation to the floor.

The House has already sent two bipartisan background check bills to the Senate; yet, Senate Majority Leader MCCONNELL has not acted. There is no excuse.

I will continue to rise until we end this epidemic.

HIGHLIGHTING IMPORTANCE OF PROTECTING THE SECOND AMENDMENT

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

Mr. BUDD. Madam Speaker, I rise today to highlight the importance of protecting the Second Amendment to the Constitution.

In my district, Commissioners in Davidson, Davie, Iredell, and Rowan Counties in North Carolina recently passed resolutions that simply affirm the Second Amendment rights of their residents and declare that these counties will never participate in the infringement of those rights through unconstitutional gun control.

Anti-gun politicians in neighboring Virginia and other States are trying to undermine and overturn the Second Amendment. That is why these measures in my State are both necessary and timely.

I commend these counties, and I remain fully committed to defending the rights of responsible, law-abiding gun owners.

Madam Speaker, it is a people problem, not a device problem.

GUN VIOLENCE SURVIVORS WEEK

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

Mr. MORELLE. Madam Speaker, it pains me to stand before you today and recognize Gun Violence Survivors Week. As a Nation, we grieve for all the lives lost senselessly and all those who must live in the wake of these acts of horror.

This week alone, we have seen another school devastated by gun violence, another community uncertain how to move forward.

Our country is faced with a growing epidemic, and it is our responsibility as lawmakers to take action to protect our communities.
That is why I am proud to have joined Senator ELIZABETH WARREN, Congressman HANK JOHNSON, and a group of colleagues to introduce the Gun Violence Prevention and Community Safety Act.

The bill, which includes my bill to strengthen gun shop regulations and prevent the theft of legal firearms. Over 30 percent of guns used in a crime are identified as stolen, and every one we keep out of the hands of the wrong people is a step closer to a safer reality for our Nation. The time to act is now.

SUPPORTING MAGNET SCHOOLS

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

Mr. WILSON of South Carolina. Madam Speaker, I am grateful to be recognized by the Magnet Schools of America as a Champion of Magnet School Excellence and to be a steadfast supporter of magnet schools. I appreciate that President Donald Trump’s praising of magnet schools was included last night in the State of the Union.

Last week, I had the opportunity to visit Dutch Fork Elementary School Academy of Environmental Sciences, a magnet school in Irmo, South Carolina. Dutch Fork is one of many amazing examples of how magnet schools are important for academic excellence. I had the opportunity to meet with students and teachers and talk with them about their unique educational experiences. I was thankful to talk with Katrina Goggins, the Director of Communications for District Five of Lexington and Richland Counties, Principal Juliu Scott, Assistant Principal Brandon Gantt, School District Five Magnet Director Sara Wheeler, and Shirley Cope.

In conclusion, God bless our troops, and all of America.

HONORING THE LEGACY OF METAMORA HIGH SCHOOL COACH PAT RYAN

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

Mr. LAHOOD. Madam Speaker, I rise today in the House to recognize and congratulate Metamora High School head football coach Pat Ryan, who has announced his retirement after 30 years at the helm of the program.

Over his 30-year tenure, Coach Ryan has led the Redbirds to seven championship games and two State titles. He retires with a record of 268-76, and a spot in the Illinois High School Football Hall of Fame.

Coach Ryan’s greatness is known across central Illinois. His players love him. His students love him. Even his rivals love him, or at least love competing against him.

Not only is Coach Ryan a legend on the field, but his success off the field in modeling young men is unrivaled and unmatched. Coach Ryan coached thousands of students and left a profound impact on the lives of countless players. Many of those former players have become educators and coaches themselves and attribute their career paths to Coach Ryan’s positive influence on their lives.

Congrats to Coach Ryan on his legendary career, both on and off the field. He has made our central Illinois community a better place, and he will be missed on Friday nights. I congratulate him on his Hall of Fame career. Go Redbirds.

RECOGNIZING EINAR MAISCH

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

Mr. LAMALFA. Madam Speaker, I rise today to recognize Einar Maisch for his 34 years of service to the Placer County Water Agency. His expertise and infrastructure are pressing needs in northern California, and Einar has devoted his career to solving these critical issues.

As general manager, he worked to make PCWA the local leader in water rights by overseeing the clear and transparent budget process, increasing customer accessibility to the agency, and expanding its regional and national influence on water issues.

Throughout his long tenure, Einar has always prioritized the needs and interests of the customers and the community. His work will leave a lasting impact on water planning, resiliency, and management in northern California for decades come, and the north State is very thankful for all Einar has done.

Madam Speaker, I thank Einar, and I wish him the best of luck in his much-deserved and probably busier retirement. May he keep his knowledge and experience available to all of us.

RECOGNIZING BLACK HISTORY MONTH

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Madam Speaker, I urge every one of my colleagues to use Black History Month to celebrate the contributions of people who came to this hemisphere not of their own free will—in chains, in bondage, and then helped to make this country great.

It is important that we not only recognize them and their contributions but their example of resilience.

Philip Reid, who as an enslaved man was responsible for casting the statue which sits atop this building, and as a free man supervised the installation of the Statue of Freedom; Maggie Walker, who became the first woman to preside over a savings institution, while during the Great Depression consolidated to become the Consolidated Bank and Trust, which still exists today; Ralph Bunche, an American diplomat fundamental to the creation and adoption of the Universal Declaration of Human Rights who later went on to be the first African American to win the Nobel Peace Prize for his negotiation efforts between Egypt and Israel; and William Leidesdorff of Saint Croix, master of shipping of vessels, rancher, gold miner, and one of the founders of San Francisco.

These Americans are quietly embedded in our Nation’s history, but today, this month, we celebrate them, their work, and their dedication.
average of 100 Americans every single day. Also, there are close to 100,000 Americans injured every year from gun violence, yet we do very little to prevent these preventable injuries and deaths.

I am proud to come from a State with effective gun laws. In New Jersey, we have strong background checks, a ban on high-capacity magazines, and an extreme risk protection order for possible victims. That is why New Jersey has one of the lowest firearm death rates in America. If we had to adopt national laws such as the ones in New Jersey, we could save lives and spare families the hurt and horrors of gun violence.

HELPING VETERANS WITH TRAINED SERVICE DOGS

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

Mr. CUNNINGHAM. Madam Speaker, for far too long, we have failed to serve veterans struggling with the invisible wounds of war, veterans who nearly gave everything to us.

From veterans who served in Vietnam and Korea to those who have recently returned home from Afghanistan and Iraq, Congress has done too little to curb the often-devastating effect post-traumatic stress can have in the lives of the brave men and women who served our Nation in combat.

That is why I am proud today to rise in support of my colleague Representative STEVE STIVERS’ bipartisan bill, which will help veterans in the Lowcountry and across this Nation manage the symptoms of post-traumatic stress by pairing them with trained service dogs.

With the help of a service dog, many veterans with severe post-traumatic stress are able to return to work, attend college, and spend more meaningful time with their families and their loved ones. The brave men and women who voluntarily raised their right hands and swore an oath to defend our Nation deserve nothing less than the opportunity to succeed when they return home.

The PAWS Act is a critical step in the right direction. I urge all of my colleagues to join me in supporting this bipartisan legislation.

AMERICANS WILL JUDGE

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

Mr. HOYER. Madam Speaker, “I solemnly swear that in all things appertaining to the trial of the impeachment of Donald John Trump, President of the United States, now pending, I will do impartial justice according to the Constitution and laws.”

That is the oath Senators swore on January 16. It is the oath created by the Judiciary Committee of the President of the United States taking the process of impeachment, which calls them away from their role as partisans. When that oath is taken, Senators are supposed to step back from the affiliation of party or political kinship with or opposition to the President on trial. They are required, as the oath plainly states, to “do impartial justice according to the Constitution and laws.”

Madam Speaker, this afternoon, Senators will be asked to vote on the two articles of impeachment presented on the House floor. They represented an abuse of power and the obstruction of Congress. After voting to refuse to hear evidence and call witnesses with pertinent information, nearly all Republican Senators have already announced that they will vote against the articles.

In doing so, many of them acknowledge that what President Trump did was wrong and inappropriate. They accept that it was wrong for him to withhold military aid to Ukraine until the President of that country promised to interfere in the American elections.

The evidence of President Trump’s abuse of power and attempt to solicit foreign interference in the 2020 elections is clear enough that Republican Senators cannot and have not denied the facts, yet they cannot bring themselves to confront this President and are choosing party over country.

The Senator from Alaska, in explaining her rejection of the need to block witnesses and evidence, tried to deflect responsibility from the consequences of her actions, writing: “I have come to the conclusion that there will be no fair trial in the Senate.” I agree with that. She further said: “It is sad for me today to admit that, as an institution, the Congress has failed.”

Madam Speaker, the Congress has not failed. The House did its job, whether you agree or not. In regular order, by a vote of this House, we impeached the President of the United States based upon our oath to protect and defend the Constitution of the United States.

The House did its job and did so with the solemnity required when undertaking the process of impeachment, which we did not seek but accepted as our responsibility under the Constitution. We held hearings, called witnesses, and subpoenaed documents. Many of the witnesses and documents, of course, were withheld by the White House.

It is the Senate that will fail if Senators do not uphold their oaths to impartial justice. It is the Senate, Madam Speaker, that will fail if it does not hold this President accountable for using a hold on military aid to compel an ally to interfere in our election for his own personal gain.

History will judge poorly those who choose fear of their party over the courage to do the right thing. Neither the Speaker nor myself, nor the whip, JIM CLYBURN, urged any member in our party to vote any way on impeachment. There was no lobbying. There was no pressure. Our members voted consistent with their oath of office and the conviction that that vote was required by that oath to protect and defend the Constitution.

Americans will judge. I am often asked why the House passed Articles of Impeachment even knowing that the odds were slim that Senate Republicans would set aside partisanship and hear the case as impartial jurors. It is because I know future generations will look back on this chapter in our history and ask: Who stood up for the Constitution and the laws? Who stood up for the values our Founders charged us to keep? Who refused to shrink from the heavy responsibilities of their oath? I can be proud that the House did its job, followed the law, defended our Constitution.

We did not convict; that is not our role. Essentially, what we said was there was probable cause that powers had been abused and certainly cause to see that the President refused to cooperate with the constitutional responsibilities of the House of Representatives.

I am also proud of the House managers, as all of my colleagues on the Democratic side of the aisle are proud of our managers who made their case. They made their case with intellect. They made their case with evidence that had been adduced here in the House. They made their case and appealed to Senators to hold this President accountable, as our Founders intended.

Almost everybody has watched a trial either in person or on television. A trial is not an opening argument and a closing argument with nothing in between. Seventy-five percent of our people wanted to have witnesses because that was their understanding of what a trial is, not just argument at the beginning and argument at the end, but evidence for jurors who have pledged to be impartial to consider. Any judge in this country would agree that opening and closing statements alone are not a trial.

Nevertheless, the House managers proved their case. The truth is clear. The American people know what that truth is and know what this President has done. And they will remember who on this day abided by the truth, the whole truth, and nothing but the truth.
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 upon clause of rule XX.

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

PUPPIES ASSISTING WOUNDED SERVICEMEMBERS FOR VETERANS THERAPY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4305) to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4305

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 “Puppies Assisting Wounded Servicemembers for Veterans Therapy Act” or the “PAWS for Veterans Therapy Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(a) I N GENERAL.—Commencing not later than 120 days after the date of the enactment of the Act, subject to the availability of appropriations, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall make grants to one or more appropriate non-government entities for the purpose of demonstrating the effectiveness of addressing post-deployment mental health and post-traumatic stress disorder (in this section referred to as “PTSD”) symptoms through a therapeutic medium of training service dogs for veterans with disabilities.

(b) DURATION OF PILOT PROGRAM.—The pilot program required by subsection (a) shall be carried out during the five-year period beginning on the date of the commencement of the pilot program.

(c) CONDITIONS ON RECEIPT OF GRANTS.—As a condition of receiving a grant under this section, a nonprofit entity shall:

(1) submit to the Secretary certification that the entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that—

(A) provides service dogs to veterans with PTSD; and

(B) is accredited by, or adheres to standards comparable to those of, an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training of service dogs and education of service dog owners;

(2) agree to cover all costs in excess of the grant amount;

(3) agree to reaccept or replace the service dog the organization provided to the veteran, if necessary, as determined by the organization and the veteran;

(4) provide a wellness certification from a licensed veterinarian for any dog participating in the program;

(5) employ at least one person with clinical experience related to mental health;

(6) ensure that veterans participating in the pilot program receive training from certified service dog training instructors for a period of time determined appropriate by the organization and the Secretary, including service skills to address or alleviate symptoms unique to veterans’ needs;

(7) agree to provide both lectures on service dog training methodologies and practical hands-on training and grooming of service dogs;

(8) agree that in hiring service dog training instructors to carry out training under the pilot program, the non-government entity will give a preference to veterans who have served in Iraq or Afghanistan, to veterans with a residential treatment program and who have received adequate certification in service dog training;

(9) agree not to use shock collars or prong collars as training tools and to use positive reinforcement training;

(10) agree that upon the conclusion of training provided using the grant funds—

(A) the veteran who received the training will keep the dog unless the veteran and the veteran’s health provider decide it is not in the best interest of the veteran;

(B) if the veteran does not opt to own the dog, the entity will be responsible for caring for and appropriately placing the dog;

(C) the Department of Veterans Affairs will have no additional responsibility to provide for any benefits under this section; and

(D) the Department of Veterans Affairs will provide follow-up support service for the life of the dog, including a contact plan between the veteran and the entity to allow the veteran to receive adequate help with the service dog and the organization to communicate with the veteran to ensure the service dog is being properly cared for; and

(11) submit to the Secretary an application containing such information, certification, and assurances as the Secretary may require.

(d) VETERAN ELIGIBILITY.—

(1) I N GENERAL.—For the purposes of this section, an eligible veteran is a veteran who—

(A) is enrolled in the patient enrollment system in the Department of Veterans Affairs under section 1701 of title 38, United States Code;

(B) has been recommended for the pilot program under this section by a qualified health care provider or clinical team based on the medical judgment that the veteran may potentially benefit from participating; and

(C) agrees to successfully complete training provided by an eligible organization that receives a grant under this section.

(2) RELATIONSHIP TO PARTICIPATION IN OTHER PROGRAMS.—Veterans may participate in the pilot program in conjunction with the compensated work therapy program of the Department of Veterans Affairs.

(3) CONTINUING ELIGIBILITY REQUIREMENT.—To remain eligible to participate in the program, a veteran shall see the health care provider or clinical team of the Department of Veterans Affairs treating the veteran for PTSD at least once every six months to determine, based on a clinical evaluation of efficacy, whether the veteran continues to benefit from the program.

(e) COLLECTION OF DATA.—In carrying out this section, the Secretary shall—

(1) develop metrics and other appropriate means to measure, with respect to veterans participating in the program, the improvement in psychosocial function and therapeutic compliance of such veterans and the impact of their dependence on prescription narcotics and psychotropic medication of such veterans;

(2) establish processes to document and track the progress of such veterans under the program in terms of the benefits and improvements noted as a result of the program; and

(3) in addition, the Secretary shall continue to collect these data over the course of five years for each veteran who has continued with the dog he or she has personally trained.

(f) GAO BRIEFING AND STUDY.—

(1) BRIEFING.—Not later than one year after the date of the commencement of the pilot program under this section, the Comptroller General of the United States shall provide to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a briefing on the progress of such veterans under the program.

(2) REPORT.—Not later than 270 days after the date on which the program terminates, the Comptroller General shall submit to the committees specified in paragraph (1) a report on the program. Such report shall include an evaluation of the approach and methodology used for the program with respect to—

(A) helping veterans with severe PTSD return to civilian life;

(B) relevant metrics, including reduction in metrics such as reduction in scores under the PTSD check-list (PCL-5), improvement in psychosocial function, and therapeutic compliance; and

(C) reducing the dependence of participants on prescription narcotics and psychotropic medication.

SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM ON DOG TRAINING THERAPY.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of the Act, subject to the availability of appropriations, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall make grants to one or more appropriate non-government entities for the purpose of demonstrating the effectiveness of addressing post-deployment mental health and post-traumatic stress disorder (in this section referred to as “PTSD”) symptoms through a therapeutic medium of training service dogs for veterans with disabilities.

(b) DURATION OF PILOT PROGRAM.—The pilot program required by subsection (a) shall be carried out during the five-year period beginning on the date of the commencement of the pilot program.

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(1) submit to the Secretary certification that the entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that—

(A) provides service dogs to veterans with PTSD; and

(B) is accredited by, or adheres to standards comparable to those of, an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training of service dogs and education of service dog owners;

(2) agree to cover all costs in excess of the grant amount;

(3) agree to reaccept or replace the service dog the organization provided to the veteran, if necessary, as determined by the organization and the veteran;

(4) provide a wellness certification from a licensed veterinarian for any dog participating in the program;

(5) employ at least one person with clinical experience related to mental health;

(6) ensure that veterans participating in the pilot program receive training from certified service dog training instructors for a period of time determined appropriate by the organization and the Secretary, including service skills to address or alleviate symptoms unique to veterans’ needs;

(7) agree to provide both lectures on service dog training methodologies and practical hands-on training and grooming of service dogs;

(8) agree that in hiring service dog training instructors to carry out training under the pilot program, the non-government entity will give a preference to veterans who have served in Iraq or Afghanistan, to veterans with a residential treatment program and who have received adequate certification in service dog training;

(9) agree not to use shock collars or prong collars as training tools and to use positive reinforcement training;

(10) agree that upon the conclusion of training provided using the grant funds—

(A) the veteran who received the training will keep the dog unless the veteran and the veteran’s health provider decide it is not in the best interest of the veteran;

(B) if the veteran does not opt to own the dog, the entity will be responsible for caring for and appropriately placing the dog;

(C) the Department of Veterans Affairs will have no additional responsibility to provide for any benefits under this section; and

(D) the Department of Veterans Affairs will provide follow-up support service for the life of the dog, including a contact plan between the veteran and the entity to allow the veteran to receive adequate help with the service dog and the organization to communicate with the veteran to ensure the service dog is being properly cared for; and

(11) submit to the Secretary an application containing such information, certification, and assurances as the Secretary may require.

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(A) is enrolled in the patient enrollment system in the Department of Veterans Affairs under section 1701 of title 38, United States Code;

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(3) CONTINUING ELIGIBILITY REQUIREMENT.—To remain eligible to participate in the program, a veteran shall see the health care provider or clinical team of the Department of Veterans Affairs treating the veteran for PTSD at least once every six months to determine, based on a clinical evaluation of efficacy, whether the veteran continues to benefit from the program.

(e) COLLECTION OF DATA.—In carrying out this section, the Secretary shall—

(1) develop metrics and other appropriate means to measure, with respect to veterans participating in the program, the improvement in psychosocial function and therapeutic compliance of such veterans and the impact of their dependence on prescription narcotics and psychotropic medication of such veterans;

(2) establish processes to document and track the progress of such veterans under the program in terms of the benefits and improvements noted as a result of the program; and

(3) in addition, the Secretary shall continue to collect these data over the course of five years for each veteran who has continued with the dog he or she has personally trained.

(f) GAO BRIEFING AND STUDY.—

(1) BRIEFING.—Not later than one year after the date of the commencement of the pilot program under this section, the Comptroller General of the United States shall provide to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a briefing on the progress of such veterans under the program.

(2) REPORT.—Not later than 270 days after the date on which the program terminates, the Comptroller General shall submit to the committees specified in paragraph (1) a report on the program. Such report shall include an evaluation of the approach and methodology used for the program with respect to—

(A) helping veterans with severe PTSD return to civilian life;

(B) relevant metrics, including reduction in metrics such as reduction in scores under the PTSD check-list (PCL-5), improvement in psychosocial function, and therapeutic compliance; and

(C) reducing the dependence of participants on prescription narcotics and psychotropic medication.
Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert, extraneous material on H.R. 4305, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the Puppies Assisting Wounded Servicemembers for Veterans Therapy Act, otherwise known as the PAWS Act, introduced by Representative STEVIES of Ohio.

This bill has more than 300 cosponsors, which put it on the Consensus Calendar. It reflects this Chamber’s desire to pass legislation addressing veterans’ mental health, which I strongly support.

The bill calls for the VA to establish a 5-year pilot program to make grants available to appropriate nongovernmental entities “for the purpose of assessing the effectiveness of addressing post-deployment mental health and post-traumatic stress disorder symptoms through a therapeutic medium of training service dogs for veterans with disabilities.”

Mr. Speaker, I think everyone in this room today can agree that dogs—and animals, more broadly speaking—make great companions. In fact, in 2018, Americans spent $72 billion on their pets. Years of research have illustrated numerous positive health outcomes, providing grants to organizations to assist veterans and service dogs to create work environments for veterans who have post-traumatic stress disorder and other mental health challenges through service dog training.

Veterans participating in the program would be paired with a prospective service dog and work with a qualified service dog training instructor to train the dog as a certified service animal. At the conclusion of the training, if the veteran and the veteran’s provider agree that the best interests of the veteran, the veteran will be able to keep their dog, or it would be paired with another veteran in need.

The grant program that the PAWS Act would create is based on service dog training therapy programs at Walter Reed National Medical Center in Maryland and the Palo Alto VA Medical Center in California. Both of those programs are well established and have shown remarkably positive anecdotal outcomes for military veterans and veterans who have gone through them.

It won’t come as a surprise to any dog owner—me, included—that the companionship and unconditional love offered by man’s best friend has a powerful real-world healing effect. The old saying is, in Washington, “if you want a friend, get a dog.” I am glad that this program will expand that effort as well as the unique assistance that trained service dogs provide to more of our Nation’s heroes.

This bill is cosponsored by 321 of our House colleagues, a tremendous bipartisan show of support that is reflective of the desire of this body to care for those who have and are struggling with invisible injuries as a result.

I am grateful to General STEVE STIVERS for his hard work getting this bill to the House floor today, and I am happy to support it.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Ms. M. J. SHERRILL), my good friend.

Ms. SHERRILL. Mr. Speaker, I yield.

Mr. Speaker, we are passing this legislation, the PAWS for Veterans Therapy Act. This important bipartisan legislation will create a pilot program within the Department of Veterans Affairs to give veterans access to treatment derived from working with service dogs.

Mr. Speaker, I would also like to take this opportunity to thank the gentleman from Ohio, Representative STEVIES, for his tireless leadership on this legislation. I deeply appreciate his dedication to our Nation’s veterans.

Mr. Speaker, thousands of veterans, between 11 and 20 percent, experience post-traumatic stress disorder. Too many of the men and women who serve our country return home with unseen trauma that can make it hard to carry out daily activities, like going to work or going to school. We owe it to our veterans to make sure that they have the resources they need to recover.

In November, I had the opportunity to spend some time with a Vietnam veteran named Walter Parker and his service dog, Jackson. Walter shared with me how his partnership with Jackson has dramatically improved his life. Jackson helps Walter participate in activities that we all take for granted, like going to the movies or the grocery store. Their bond has been instrumental in Walter’s continuing recovery.

His story is not unique. Researchers, doctors, and veterans, themselves, all report the same thing: Service dogs soothe the invisible wounds of war.

Under the PAWS for Veterans Therapy Act, the VA will partner with nonprofit organizations working with veterans and service dogs to create work therapy programs that help veterans learn the art and science of training dogs. After completing the program, the veterans may adopt their dogs to provide continued therapy. Mission-based therapy has been proven to be a successful means of treating PTSD, and this legislation will enable
more veterans to access the care that service dogs can provide.

Mr. Speaker, Walter and Jackson and countless other vets and their service dogs are proof that this therapy works. We owe it to our veterans to explore creative ways to help them after they have given so much to our country.

Mr. Speaker, I urge my colleagues to support this important and innovative legislation and give veterans the treatment they need and deserve.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I do want to give a shout-out to former Congressman Ron DeSantis, now Governor Ron DeSantis of Florida, who championed this legislation.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. STIVERS), my good friend.

Mr. STIVERS. Mr. Speaker, I thank the gentleman from Tennessee (Mr. DAVID P. Roe) for yielding time.

This bill is, indeed, a blending of a bill that DeSantis had in the last Congress and a bill we had in the last Congress, and we now have 321 co-sponsors on this bill.

Mr. Speaker, as you know, our service members returning from war sometimes have invisible wounds. I served as a battalion commander in Operation Iraqi Freedom, and soldiers under my command came back with post-traumatic stress and, indeed, some even with traumatic brain injury.

All too often, we see the links between military service and mental health conditions, including post-traumatic stress, as well as traumatic brain injury.

Mr. Speaker, we lose 20 veterans a day to suicide. Congress has to work to address that situation. Mental health and the suicide epidemic that are facing veterans can’t be solved with a single solution, but it is important we look at this comprehensively and come up with as many building blocks as we can to prevent this crisis. That is why I introduced the PAWS for Veterans Therapy Act, which is based on clinical evidence from Kaiser Permanente and Purdue University.

The PAWS for Veterans Therapy Act would establish a pilot program in the Department of Veterans Affairs authorizing the Secretary to give grants to local service dog training organizations so that they can work with veterans, and veterans can receive training to train service dogs and also end up with a service dog if it is appropriate for them.

This effort has been 10 years in the making, and it is time that we actually bring it to a conclusion. I am grateful that so many of my colleagues on both sides of the aisle support it.

Mr. Speaker, I want to give a special thanks to Representative KATHLEEN RICE, my lead Democrat cosponsor, and the many other folks who worked on this bill. I also want to thank the majority leader, STRICKER HOYER, for bringing it to the floor today.

Mr. Speaker, 321 Members of Congress don’t agree on a lot, but they agree we have got to address the problem of veteran suicide and give access to veterans to service dogs if the veterans have post-traumatic stress.

There is a Senate bill. This bill passed the House 2 years ago. My version of the bill passed the House 2 years ago but died in the Senate. There is now a Senate version with Senator TILLIS, Senator SMIRNA, Senator FISCHER, and Senator FEINSTEIN. It is bipartisan. I am hopeful they will get that done as well. We have to give these veterans to give creative solutions to treat their mental health and their anxiety issues.

Since it was brought up, I do want to mention that this VA R. 436 was authorized in the 2010 National Defense Authorization Act. It is 2020. That is 10 years. In that time, it was started, studied for 4 years, halted then it began again. It has been delayed three times, and now they say it may be out in June. I am hopeful that it is, but we can’t wait any longer. Our veterans can’t wait any longer.

In the interim, this has been studied at Purdue University and Kaiser Permanente and others. The results are undisputed. There is less anxiety. These veterans are on fewer drugs. There is a lower incidence of suicide.

We can’t wait any longer to address this crisis. We must pass this bill today.

Mr. Speaker, I appreciate my colleagues on both sides of the aisle. I urge them to support H.R. 2305. God bless our veterans. It is time we give them the help they need.

Mr. TAKANO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. SLOTKIN), my good friend.

Ms. SLOTKIN. Mr. Speaker, I rise in support of the PAWS for Veterans Therapy Act. I am incredibly proud to be coleading this bipartisan bill to connect veterans and service dogs in their communities and improve outcomes for veterans’ mental health and well-being.

There are two amazing organizations in Livingston County in my district that train dogs and place them with veterans in need: Veteran Service Dogs in Howell, Michigan, and Blue Star Service Dogs in Pinckney.

In December, I had the chance to visit Blue Star Service Dogs for myself. It was incredible to see these dogs in action. I also spoke with veterans about how service dogs are helping them heal from depression, PTSD, and so many other invisible service-related wounds.

Both organizations are doing amazing work for veterans in our community, and I want to salute them.

This bill before us today sets up a pilot program through the VA to partner with local nonprofits, just like the ones in my district, to create work therapy programs for veterans to help expand the number of veterans who can access the benefits of training and adopting a service dog.

Every day, an average of 17 veterans are victims of suicide. Think about that. Within the community of veterans that served in Iraq and Afghanistan, more veterans have been lost to suicide than to combat, which is both devastating and unacceptable.

The PAWS for Veterans Therapy Act would help to specifically improve the well-being of our veterans. All you need to do is talk to a veteran suffering from depression or PTSD to understand what adopting a dog does for their lives.

I am incredibly proud of what this bill represents: a group of Democrats and Republicans finding an area of strong common ground and pushing legislation to a vote that could have significant impact.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mr. JOHN W. ROSE), my good friend and fellow colleagues.

Mr. ROSE. Mr. Speaker, as you know, our service members have given so much to our country.

While we are enjoying a time of unparalleled economic growth in my lifetime, a safer and more secure Nation, and 243 years of enduring freedom made possible in no small part by the sacrifice of our servicemembers, we also live in a time when approximately 20 veterans are lost to suicide every day.

This heartbreaking reality calls us to action. Research has demonstrated the powerful effect of service dogs in the lives of those suffering from post-traumatic stress disorder. These loyal companions have been shown to lead to stronger mental health, greater purpose in life, and renewed hope.

Today, I stand up for our veterans in Tennessee and all of our veterans across the country who would find support from PAWS. I invite my colleagues from both sides of the aisle to
join us in supporting our veterans and vote for the PAWS for Veterans Therapy Act.

Mr. TAKANO. Mr. Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, pursuant to the rules, I yield 3 minutes to the gentleman from Florida (Mr. WALTZ), an Army veteran from Florida's Sixth Congressional District.

Mr. WALTZ. Mr. Speaker, today I rise in support of this important legislation, H.R. 4305, the PAWS Act.

As a combat veteran, I have personally relied on service dogs in battle. We all recently witnessed the important role that service dogs play in combat roles and in national security when we saw Conan, the Belgian Malinois, who participated in the raid that killed ISIS leader al-Baghdadi. Service dogs also play an important role in transitioning veterans back to civilian life.

There is no denying these connections. The support they provide our veterans puts that connection on an entirely different level of importance. Many of our veterans return back from their service not the same as when they left, and I can personally attest to that.

They have three bad choices: either they don't come home, they come home missing limbs, or they certainly come home—when you have been in combat—different mentally than when they left.

These invisible wounds often make life very difficult for our veterans who have served. We owe them. The least we can do is to provide a full menu of options to their medical providers when they need help, whether those are medicines, whether those are unconventional treatments like hyperbaric chambers, or whether they are service dogs. That should be one of the options that our providers can provide.

I had the personal opportunity to meet with several veterans who have benefited from these service animals in my district last year and their stories were just incredible.

The common theme amongst all of them was that they either completely eliminated or drastically reduced the amount of medication that they were on as a result of PTSD, depression, and anxiety.

Almost all of these veterans who had service dogs in their lives not only reduced their medications, but they got out more and they socialized more. The dog served as an important and positive forcing function in their lives.

I think this legislation is long overdue. This is long overdue for the VA to provide. I love the fact that it engages our veteran service organizations like K9s for Warriors which is just north of my district in St. Johns County, and others.

These dogs can be life changing, and they have been life changing, and they should continue to be, and they should be provided by us, by our society that owes these vets so much.

Our veterans deserve to live happy lives after their service, and we should do everything that we can to ensure their well-being. I urge my colleagues to pass this important bill.

I thank my colleagues Representative Rose and Representative Strick for their leadership, and all should let them know and let these veterans know that we have their six and the House of Representatives stands with them on their path to healing.

Mr. TAKANO. Mr. Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time, as I have no further speakers, and I am prepared to close.

Mr. Speaker, I strongly encourage my colleagues to support this needed legislation and I associate my remarks with what Mr. WALTZ just stated.

Anyone who has ever had the joy—as I have through my entire life—to have those animals associated with you knows how uplifting and helpful it can be to have your pets. It has been mentioned many times, we have not been making a dent in our suicide rate, and it is time to start thinking out of the box.

Mr. Speaker, I strongly encourage my colleagues to support this legislation, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no further speakers.

I ask my colleagues to join me in passing H.R. 4305, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. Is there further speakers?

Mr. MALINOWSKI. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Pursuant to the provision of H.Con.Res. 106, the time for further speakers is limited to two minutes.

The SPEAKER pro tempore. Pursuant to the provision of H.Con.Res. 106, the time for further speakers is limited to two minutes.

Mr. TAKANO. Mr. Speaker, I have no further speakers.

I call to order under subsection (a)(2), or that relate to the coastal resiliency of those estuaries; (2) by redesignating clauses (vi) and (vii) as clauses (viii) and (ix), respectively, and inserting after clause (v) the following: "(vii) stormwater runoff;" "(vii) accelerated land loss;" and (3) in clause (viii), as so redesignated, by inserting "extreme weather," after "sea level rise.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 320(i)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)(4)(C)) is amended—

(1) in the matter preceding clause (i)—

(A) by inserting "; emerging," after "urgent;" and

(B) by striking "coastal areas" and inserting "―the estuaries selected by the Administrator under subsection (a)(2), or that relate to the coastal resiliency of those estuaries;"

(2) by redesignating clauses (vi) and (vii) as clauses (viii) and (ix), respectively, and inserting after clause (v) the following: "(vii) stormwater runoff;" "(vii) accelerated land loss;" and (3) in clause (viii), as so redesignated, by inserting "extreme weather," after "sea level rise.

The SPEAKER pro tempore. Pursuant to the rule, the Chair from New Jersey (Mr. MALINOWSKI) and the gentleman from Florida (Mr. MAST) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. MALINOWSKI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4404, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

I am proud to lead this bipartisan reauthorization of the National Estuary Program, a successful nonregulatory program to improve the water quality and ecological integrity of our Nation's estuaries, a program with a long history of support on both sides of the aisle.
Estuaries are extraordinarily productive ecosystems where fresh water from rivers and streams mixes with saltwater from the ocean.

In my district in my home State of New Jersey, the New York-New Jersey Harbor & Estuary Program encompasses 250 miles of open water, including parts of the Raritan, Rahway, Elizabeth, and Hackensack Rivers.

My bill, the Protect and Restore America’s Estuaries Act, makes several important improvements to this program. First, it nearly doubles funding for the program’s 28 estuaries of national significance, including the New York-New Jersey Harbor & Estuary Program.

It ensures that management plans governing nationally significant estuaries consider the effects of recurring extreme weather events and that they develop and implement appropriate adaptation strategies. It expands eligibility for grants under the program to organizations working to address stormwater runoff, coastal resiliency, and accelerated land loss issues.

It requires the NEP management, the regional conferences that are part of the NEP, to develop and implement strategies to increase local awareness about the ecological health and water quality of estuaries.

It is hard to overstate just how important estuaries are to the broader marine ecosystem. They are sometimes referred to as the nurseries of the sea because of the vast and diverse array of marine animals that spend the early parts of their lives in them, with their calm waters providing a safe habitat for smaller birds and other animals, as well as for spawning and nesting.

Further, estuaries act as stopover sites for migratory animals including ducks, geese, and salmon. They filter out pollutants from rivers and streams before they flow into the ocean, and they protect inland areas from flooding, with their broad and shallow waters able to absorb sudden storm surges.

They are the natural infrastructure that protects human communities from flooding. And of course, they also help the economies of every community that relies on fishing and tourism and recreation.

So it is my privilege to play a role in protecting these tremendous critical ecosystems and in preserving the natural beauty of my State of New Jersey.

Mr. Speaker, I want to thank my colleagues in the Transportation and Infrastructure Committee, Congressman Graves for teaming up with me on this bill. Congressman Graves is a longtime champion for the estuarine system in his district, and I am glad to partner with him.

I also want to thank Congresswoman Fletcher for her support as an original cosponsor, and Congresswoman Larsen for making the bill even stronger, as well as more than two dozen of my colleagues, Democrats and Republicans alike, who have cosponsored this bill.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support as well of H.R. 4044, the Protect and Restore America’s Estuaries Act.

I also want to thank my colleague from New Jersey (Mr. Malinowski) for introducing this legislation; our chairwoman, Mrs. Napolitano, Mr. Graves, and everybody who has worked on this outstanding bill that we want to see move forward here that has moved forward so many other times.

H.R. 4044, reauthorizes the National Estuary Program which focuses on estuaries of national significance across the Nation, including one in my own backyard, very literally, the Indian River Lagoon, the heart and soul of my district.

Estuaries are not just critical natural habitats that provide enormous economic benefits, but they are a part of our way of life for those of us who live anywhere near them or around them. They are where we go fishing, where we see our children recreate and wade in the waters. It is where we see dolphin and manatee. That is where we see people spend their summers, travel to come see the blue waters and the fish and everything else that thrives in those ecosystems.

The National Estuary Program is pivotal to the preservation of these very unique ecosystems, and it provides an enormous return on the taxpayer’s investment. On average, the estuary program raises $19 for every $1 provided by the Environmental Protection Agency.

It is because of this and many other reasons that I see on a day-to-day basis reasons that I see on a day-to-day basis why we need to ensure local communities across the country, including the San Juan Bay Estuary Program in my congressional district.

Mr. Speaker, I rise in support as well of the JUGET SOS Act, which will be considered later today. Introduced by my colleagues in the Washington delegation, Representatives Heck and Kilmer, this bill will improve and expand Federal engagement and support for Puget Sound efforts.

At a time when the impacts of climate change threaten coastal communities throughout the Pacific Northwest and the U.S., endanger iconic species such as the southern resident killer whale, and decimate critical habitats, federal engagement and investment in estuary restoration must be a priority.

Mr. MAST. Mr. Speaker, I yield such time as I may consume to the gentleman from Puerto Rico (Miss González-Colón).

Miss González-Colón of Puerto Rico. Mr. Speaker, I thank Congressman Mast for yielding.

Mr. Speaker, I rise in support of H.R. 4044, the Protect and Restore America’s Estuaries Act, of which I am a proud cosponsor.

The National Estuary Program is an initiative committed to protecting and restoring the water quality and ecological integrity of 28 estuaries across the country, including the San Juan Bay Estuary Program in my congressional district.

This estuary is the only tropical estuary in the program and the only one outside the continental USA. It also provides habitat to 160 species of birds, 200 species of wetland plants, 124 species of fish, and 20 species of amphibians and reptiles, including endangered animals such as the Antillean manatee and the hawksbill and leatherback turtles.

The San Juan Bay annually receives 80 percent of imports for Puerto Rico through docks and ports throughout the system, playing a crucial role for the island’s economy. Last year alone, the estuary received 9.5 million visitors, numbers only expected to increase as the island recovers from past hurricanes. The estuary aids in flood
prevention for the island’s metropolitan area, which is located within the boundaries of the estuary.

I thank the chairman and the ranking member for bringing this bill forward. Of course, I am going to be for it, and I think it is a great initiative not just to protect but also to care for all our wetlands in the Nation.

Mr. MALINOWSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. Napolitano.)

Mrs. NAPOLITANO. Mr. Speaker, I thank the gentleman from New Jersey (Mr. Malinowski) for H.R. 4044, the reauthorization of the very popular National Estuary Program, or NEP. It allows more proactive measures to be eligible under the program.

The strong bipartisan support this bill has received is evidence of its widespread popularity and success. I am very pleased that several members of this committee have all cosponsored the bill. The bill represents the commitment of coastal areas and the vital role they play in economic drivers, natural water filters, and protection from flooding events.

Mr. Speaker, I strongly urge the EPA and States to work together to designate coastal estuaries that can be eligible for this program, and I urge my colleagues to support the bill, H.R. 4044.

Mr. MAST. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, H.R. 4044 will have a profound impact on districts across America. That is a fact. It is why I am here to support it today. It includes my own district, by increasing public education and awareness around the health conditions of estuaries.

The Indian River Lagoon I spoke about is one of the most biologically diverse estuaries in all of North America and a major economic driver for the five counties it borders. The lagoon faces enormous challenges year after year and summer after summer, but through the National Estuary Program, there has been a pilot-scale demonstration of seagrass restoration, which is one of the biggest challenges that we face. The destruction of our seagrasses each year is like a forest fire underneath the waters of our estuary.

Storm water quality improvement projects, septic-to-sewer projects, and many other projects that are vital to our estuary are all implemented here.

With the Protect and Restore America’s Estuaries Act, we will build on the enormous success of the National Estuary Program. It is why I couldn’t be more proud to support it.

Mr. Speaker, I urge support and adoption of this bipartisan piece of legislation, and I yield back the balance of my time.

Mr. MALINOWSKI. Mr. Speaker, I include in the RECORD letters of support for H.R. 4044 from the New York-New Jersey Harbor and Estuary Program, Barataria-Terrebonne National Estuary Program, Pen Francisco Estuary Partnership, Puget Sound Partnership, Santa Monica Bay National Estuary Program, and Lower Columbia Estuary Partnership.


Sincerely,
Robert Pirani,
Director, NY/NJHEP.


Dear Chairmen DeFazio and Napolitano, Ranking Members Young and Westerman:

Thank you for your leadership in support of the cooperative conservation and management efforts on our nation’s estuaries, and in particular for the unanimous approval in your committee for HR 4044, a bill to reauthorize the National Estuary Program.

This legislation invests directly in the stewardship of our nation’s coasts. It empowers local communities in a non-regulatory, collaborative and science-based strategy to safeguard the places where we live, work and recreate. The 28 National Estuary Programs (NEP) located around the nation’s coastline engage industries, businesses, and other community members to solve tough problems. The NEP’s public-private partnerships stretch federal dollars to provide successful on-the-ground results driven by diverse stakeholders. NEP partners include wastewater utilities; port authorities, shippers, and related maritime industry; local restaurants & tourist businesses; design, engineering and construction professionals; state and local governments; colleges and universities, and community and environmental organizations.

NEPs are among the country’s most efficient at leveraging funds to increase their ability to restore and protect our coastal ecosystems. The NEPs have obtained over $90 for every $1 of federal investment, or $4 billion for on-the-ground efforts since 2003. HR 4044 would amplify and improve on the reforms signed into law in the 114th Congress that created a competitive program to address urgent challenges while streamlining the administrative costs of the program.

Progress on the Ground

NEPs have collectively restored and protected our coastal habitats since 2000 alone. Consistent Congressional funding of the National Estuary Programs is essential—resulting in clean water, healthy ecosystems, and coastal communities. This investment in our national estuaries will help strengthen America’s economy and support thousands of jobs, and will secure the future of our coastal communities.

Here in New York and New Jersey, we can report on how funds already invested in this program are having a good purpose in protecting and restoring estuaries and coastal communities:

Working with communities in the Bronx, Harlem, Passaic, Raritan, Hackensack River watersheds to track down sources of floatable trash before they enter the water; Helping local governments in New Jersey and New York identify and right-size culverts and bridges to improve habitat and reduce street flooding; Working with wastewater utilities in Elizabeth and Ridgefield Park to prioritize and make critical investments in outfalls needed to address rising sea levels; Restoring shoreline ecology and improving fisheries in the Hudson and East River by creating oyster reefs and other restoration efforts.

The value of our oceans, estuaries and coasts to our nation is immense, and has never been more important. Over half the US population lives in coastal counties, many of these in estuaries of national significance. Roughly half the nation’s gross domestic product is generated in those counties and adjacent oceans. According to NOAA’s 2019 report on the ocean economy, ocean industries contributed $320 billion to U.S. economy, while employment in the ocean economy increased by 14.5 percent by 2016, compared to 4.8 percent in the U.S. economy as a whole.

Thank you again for your efforts to advance this visionary legislation and look forward to working with you to reauthorize this successful program.

Yours sincerely,

Robert Pirani,
Director, NY/NJHEP.
which support fishing and tourist industries, science and monitoring to guide decision-making, and innovative education programs designed for the next generation of Americans.

NEPs: PUBLIC-PRIVATE PARTNERS

The NEP consists of 28 unique, voluntary programs established by the Clean Water Act to protect and improve estuaries of national significance. NEPs engage its local community in a non-regulatory, consensus-driven, and science-based process. For every federal dollar NEPs collectively leverage $19 in local funds to protect and improve coastal environments, communities, and economies. This investment in our national estuaries strengthens America’s economy and supports thousands of jobs, and will secure the future of our coastal communities.

NEPs engage industries, businesses, and other community members to develop solutions for tough problems. NEP’s public-private partnerships stretch federal dollars to provide on-the-ground results driven by diverse stakeholders. NEP partners include commercial agriculture and fisheries, energy and water utilities, local businesses, construction, and landscaping professionals, state and local governments, academic institutions, and community groups.

The value of our oceans, estuaries and coastal wetlands is immense. More than half the U.S. population lives in coastal watershed counties. Roughly half the nation’s gross domestic product is generated in those counties and over 70% of our ocean waters are at least 50 feet deep. Ocean industries contributed $320 billion to U.S. economy.

RESULTS ON THE GROUND

NEPs have had great success in protecting and restoring estuaries and coastal communities:

- The Barataria-Terrebonne National Estuary Program (BTNEP) is restoring the nation’s largest mangrove forest ridges along coastal Louisiana with public and private partnerships. These ridges are vital habitat for wildlife and provide storm surge protection for business, industry, and homeowners.
- The NY-NJ Harbor & Estuary Program in New York and New Jersey is restoring marine habitats like oyster reefs to bring back 60 species of shellfish. This program is bringing the oyster back, using living shorelines to stop erosion, protect property and restore habitat.
- The San Francisco Estuary Partnership is working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River.
- NEPs are working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River.
- NEPs have collectively leveraged $19 in local funds to protect and improve coastal environments, communities, and economies. The value of our oceans, estuaries and coastal wetlands is immense. More than half the U.S. population lives in coastal watershed counties. Roughly half the nation’s gross domestic product is generated in those counties and over 70% of our ocean waters are at least 50 feet deep. Ocean industries contributed $320 billion to U.S. economy.

Recent examples of NEP successes include:

- The San Francisco Estuary Partnership is collaborating with wastewater treatment facilities to advance innovative wastewater treatment technologies to reduce contamination, secure potable water resources, increase flood protection, and restore habitat.
- The NY-NJ Harbor & Estuary Program is working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River.
- NEPs collectively leveraged $19 in local funds to protect and improve coastal environments, communities, and economies. The value of our oceans, estuaries and coastal wetlands is immense. More than half the U.S. population lives in coastal watershed counties. Roughly half the nation’s gross domestic product is generated in those counties and over 70% of our ocean waters are at least 50 feet deep. Ocean industries contributed $320 billion to U.S. economy.
partners in a unique decision-making framework to address local priorities. NEPs provide technical, management, and communication assistance to develop priorities and implement comprehensive and innovative solutions to address stormwater and infrastructure projects, seagrass and shellfish restoration which support fishing and tourist industries, science and education decision-making processes, and innovative education programs designed for the next generation of Americans.

The NEP consists of 28 unique, voluntary programs established by the Clean Water Act to protect and improve estuaries of national significance. Each NEP engages its local community in a non-regulatory, consensus-driven, science-based process. For every dollar EPA provides, NEPs leverage $19 in local funds to protect and improve coastal environments, communities, and economies.

NEPs have collectively restored and protected more than 2,000,000 acres of vital habitats since 2000 alone. Consistent Congressional funding of the National Estuary Programs is essential resulting in clean water, healthy estuaries, and strong coastal communities. This investment in our national estuaries will help strengthen America’s economy and support thousands of jobs, and will ensure the future of our coastal communities.

Thank you for your strong support of this program over the years. Funds already invested in this program are being put to extreme good purpose in protecting and restoring estuaries and coastal communities.

Recent examples include:

Our partners are restoring forage fish spawning, which is critically important in the Puget Sound—back to large areas of shoreline, and reducing the flow of stormwater containing toxic pollutants into Puget Sound.

The NY-NJ Harbor & Estuary Program is working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River, including locations in upstream Westchester County.

The Casco Bay Estuary Partnership in Maine, along with partners, is monitoring nutrients around Casco Bay to provide real-time nutrient processing. The nutrient analyzer has been automatically collecting nitrate, nitrite and ammonium samples and working collaboratively to assure safe levels in the bay.

The Center of the Inland Bays in Delaware is bringing the oyster back, with all its ecological and economic benefits, after it nearly disappeared in the last century. The Center is using living shorelines to stop erosion, protect property and restore habitat.

As you know, important reforms were made to the National Estuary Program (NEP) in the 114th Congress. These reforms created a competitive program to address urgent challenges and maximize funds received into law in the 114th Congress. These reforms created a competitive program to address urgent challenges, and maximized leverage by our national estuaries, while streamlining the administrative costs of the program. HR 4044 would amplify and improve on these reforms, and I believe that the competitive streamlining begun in the 114th Congress.

Thank you again for your visionary leadership, and that of the three California Representatives Salud Carbajal, Harley Rouda, and Eric Swalwell who have cosponsored this bill to reauthorize this successful program.

Sincerely,

Tom Ford
Director, Santa Monica Bay National Estuary Program

CONGRESSIONAL RECORD — HOUSE
February 5, 2020

H784

Hon. Peter A. DeFazio,
Chair, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

Hon. Grace F. Napolitano,
Chair, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

Hon. Don Young,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

Hon. Bruce Westerman,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMEN DEFAZIO AND NAPOLITANO, RANKING MEMBERS YOUNG AND WESTERMAN: I am writing to thank you for your strong support of the National Estuary Program, and in particular for your unanimous approval in your committee for HR 4044, a bill to reauthorize this successful program. I also like to recognize the efforts of California Representatives Salud Carbajal, Harley Rouda, and Eric Swalwell for their support and maximum leveraging of this bill. We understand this bill may be considered by the full House of Representatives and applaud your efforts to advance this important legislation.

The National Estuary Program consists of 28, voluntary and geographically specific partnerships to promote the vitality of the United States Estuaries of National Significance. Each NEP engages its local community in a non-regulatory, consensus-driven, and science-based process. For every dollar EPA provides, NEPs leverage $19 in local funds to protect and improve coastal environments, communities, and economies.

The National Estuary Program provides NEPs with access to technical, management, and communication needs of their consensus driven Comprehensive Conservation and Management Plan (CCMP) that advances coastal and oceanic efforts. NEPs are working with local partners, including businesses, environmental organizations, and community groups to develop solutions for tough local problems.

The value of our oceans, estuaries and coastal resources is immeasurable. According to NOAA’s 2019 report on the ocean economy, ocean industries contributed $320 billion to U.S. economy in 2018. In the ocean economy increased by 14.5 percent by 2018, compared to 4.8 percent in the U.S. economy as a whole. NEPs work to protect and enhance our national significant economic engines.

Thank you for your strong support of this program over the years. Funds already invested in this program are being put to extremely good purpose in protecting and restoring estuaries and coastal communities.

Recent examples include:

The Santa Monica Bay National Estuary Program has restored 51.9 acres of kelp forest, off the Palos Verdes Peninsula in the past six years. This restoration effort has helped reverse an 80% decline in this vital ecosystem which supports several of California’s most lucrative fisheries and allows for the recovery of endangered abalone.

The Puget Sound Partnership is restoring forage fish spawning—which are critically important in the Puget Sound—back to large areas of shoreline and reducing the flow of stormwater containing toxic pollutants into Puget Sound.

The NY-NJ Harbor & Estuary Program is working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River, including locations in upstream Westchester County.

The Casco Bay Estuary Partnership in Maine, along with partners, is monitoring nutrients around Casco Bay to provide real-time data on nutrient processes. CBEP’s nutrient analyzer has been automatically collecting nitrate, nitrite and ammonium samples and working collaboratively to assure safe levels in the bay.

As you know important reforms were made to the National Estuary Program in the reauthorization that was signed into law in the 114th Congress. These reforms created a competitive program to address urgent challenges, and maximized leveraging of our national estuaries, while streamlining the administrative costs of the program. HR 4044 would amplify and improve on these reforms, and I believe that the competitive streamlining begun in the 114th Congress.

Thank you again for your visionary leadership, and that of the three California Representatives Salud Carbajal, Harley Rouda, and Eric Swalwell who have cosponsored this bill to reauthorize this successful program.

Sincerely,

Tom Ford
Director, Santa Monica Bay National Estuary Program

LOWER COLUMBIA ESTUARY PARTNERSHIP,

Hon. Peter A. DeFazio,
Chair, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

Hon. Bruce Westerman,
Chair, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMEN DEFAZIO AND NAPOLITANO, RANKING MEMBERS YOUNG AND WESTERMAN: Thank you for your leadership and strong support of the National Estuary Program (NEP), and for your unanimous approval in your committee for HR 4044, a bill to reauthorize this highly successful program. I understand this bill may be considered by the full House of Representatives and appreciate your efforts to support this legislation.

The NEP stands out as one of the most effective federal programs. The National Program creates a framework—and accountabilities—for local partners to address diverse interests to address the physical, chemical, social, biological, economic and cultural challenges that threaten our nation’s coastal communities.

It is this collaborative framework that allows NEPs to tackle issues that no agency or state can tackle alone.
Of all federally funded coastal programs, only NEPs implement a community-based decision framework to address local and national priorities. NEPs and their partners address:

- Stormwater and infrastructure projects;
- Eelgrass and shellfish restoration, supporting aquaculture, fishing, and tourist industries;
- Land and wildlife conservation;
- Science and monitoring to guide decision-making; and
- Innovative education programs designed for the next generation of Americans.

The NEP consists of 28 unique, voluntary programs established by the Clean Water Act to protect coastal estuaries of national significance. Each NEP engages its local community in a non-regulatory, consensus-driven, and science-based process. For every federal dollar, NEPs collectively leverage $19 in local funds to protect and improve coastal environments, communities, and economies.

This investment in our national estuaries strengthens America's economy and supports thousands of jobs and secures the future of our coastal communities.

NEPs engage local industries, businesses, and community members to develop—and implement—solutions for tough problems. NEP’s public-private partnerships stretch from the seashore to the mountains to provide on-the-ground results driven by diverse stakeholders. NEP partners include commercial agriculture and fisheries, energy and water utilities, local businesses, construction and landscaping professionals, state and local governments, academic institutions, teachers, students, and community groups.

The health of our oceans, estuaries and coasts to our nation is immense. Over half the U.S. population lives in coastal watershed counties. Roughly half the nation’s gross state product is generated in these counties and adjacent ocean waters. In 2019 alone, ocean industries contributed $32 billion to U.S. economy.

RESULTS ON THE GROUND

NEPs are focused on results on the ground and have more than 100,000 acres in protected areas, restoring estuaries and coastal communities:

- In the Lower Columbia River since 2000, we have:
  - Restored 29,387 acres of habitat with 100 partners to help recover threatened and endangered fish;
  - Protected 4,485 students with over 407,704 hours of outdoor science learning, helping teachers meet benchmarks, and fill in gaps in science education;
  - Planted 114,721 native trees along riparian corridors with students and volunteers of all ages.

- Raised more than $76 million—100% of those funds stay in Oregon and Washington, addressing local priorities. These are monies local entities cannot access on their own and we can’t raise without the NEP funds.

- Leveraged $11.5 million in federal NEP funds to bring a total of $76 million to our region, 100% spent in Oregon and Washington.

- Generated 1,524 family wage jobs, mostly in construction, restoring habitat, that cannot be exported.

- These results are repeated around the nation in each of the 28 national estuary programs.

Morro Bay National Estuary Program is restoring underwater eelgrass meadows after a precipitous decline in the last decade. Promising restoration results show that collaborative research, community outreach, and adaptive management make a difference for healthy estuary habitats on the California Central Coast.

All three California National Estuary Programs are partnering to improve the status and use of resources for boaters to pump out waste from their boats. These stations are critical to keeping bacteria and other pollution from entering sensitive coastal waters.

This year, NY-NJ Harbor & Estuary Program is working with the Bronx River Alliance and other community groups to track down sources of floatable trash in the River. The Center of the Inland Bays in Delaware is bringing the oyster back, using living shorelines to stop erosion, protect property and restore habitat.

NEPs have collectively restored and protected more than 2,000,000 acres of vital habitats since 2000 alone.

Important steps were made to the National Estuary Program in the reauthorization during the 114th Congress, including the creation of a competitive program to address urgent challenges and the streamlining of administrative costs. HR 4044 amplifies and improves on these reforms.

Despite these great outcomes, threats to our waters and our to support the remainder. Toxins from stormwater contaminate clean water and habitat and cause cancer and neurological damage to humans and river species. Changes in temperature, and storminess increase sea levels, increase erosion, and intensity flood events, leaving many of our rural communities and much of our local infrastructure vulnerable to those variabilities. Micro plastics are pervasive in our rivers and streams; they are filling the bellies of ocean species and impair human immune systems, and cause cancer. Disparities in education and lack of opportunities for hands-on outdoor learning exist for too many in our communities.

We thank you again for your efforts to advance this legislation and look forward to working with you to reauthorize this successful program.

Sincerely yours,

DEBRAH MARSHOTT, Executive Director.

Mr. MALINOWSKI. Mr. Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. VELA. Mr. Speaker, I rise today to support H.R. 4044. I want to thank Mr. MALINOWSKI and Chairwoman NAPOLITANO for their leadership in crafting this legislation and bringing it to the floor today for consideration by the full House of Representatives. It is vital that we, as a nation, focus on preserving and restoring our estuaries.

I am especially pleased that the bill almost doubles the amount of funding available to support national estuaries. This should finally improve on these reforms.

We thank you again for your efforts to advance this legislation and look forward to working with you to reauthorize this successful program.

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DEBRAH MARSHOTT, Executive Director.
SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

"SEC. 124. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the San Francisco Estuary Partnership, designated as the management conference for the San Francisco Bay under section 320.

"(2) SAN FRANCISCO BAY PLAN.—The term 'San Francisco Bay Plan' means—

"(A) until the date of the completion of the plan under subsection (d), the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary; and

"(B) on and after the date of the completion of the plan developed by the Director under subsection (d), the plan developed by the Director under subsection (d).

"(b) PROGRAM OFFICE.—

"(1) ESTABLISHMENT.—The Administrator shall establish in the Environmental Protection Agency a San Francisco Bay Program Office. The Office shall be located at the headquarters of Region 9 of the Environmental Protection Agency.

"(2) EMPLOYMENT OF DIRECTOR.—The Administrator shall appoint a Director of the Office, who shall have management experience and technical expertise relating to the San Francisco Bay and be highly qualified to direct the development and implementation of projects, activities, and studies necessary to implement the San Francisco Bay Plan.

"(3) BUDGET.—The Administrator shall include in the Federal budget a funding level for the San Francisco Bay Program Office.

"(c) ANNUAL PRIORITY LIST.—

"(1) IN GENERAL.—After providing public notice, the Director shall annually compile a priority list, consistent with the San Francisco Bay Plan, identifying and prioritizing the projects, activities, and studies to be carried out with amounts made available under subsection (e).

"(2) INCLUSIONS.—The annual priority list compiled under paragraph (1) shall include the following:

"(A) Projects, activities, and studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the San Francisco Bay Plan, for—

"(i) water quality improvement, including the reduction of marine litter;

"(ii) wetland, riverine, and estuary restoration and protection;

"(iii) nearshore and endangered species recovery; and

"(iv) adaptation to climate change.

"(B) Information on the projects, activities, and studies specified under subparagraph (A), including—

"(i) the identity of each entity receiving assistance pursuant to subsection (e); and

"(ii) a description of the communities to be served.

"(C) The criteria and methods established by the Director for identification of projects, activities, and studies to be included on the annual priority list.

"(3) CONSULTATION.—In compiling the annual priority list under paragraph (1), the Director shall consult with, and consider the recommendations of—

"(A) the Estuary Partnership;

"(B) the Governor of California and affected local governments in the San Francisco Bay estuary watershed; "(C) the San Francisco Bay Restoration Authority; and "(D) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Director determines to be appropriate.

"(d) SAN FRANCISCO BAY PLAN.—

"(1) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Director, in conjunction with the Estuary Partnership, shall review and revise the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary to develop a plan to guide the projects, activities, and studies of the Office to address the restoration and protection of the San Francisco Bay.

"(2) REVISION OF SAN FRANCISCO BAY PLAN.—Not less often than once every 5 years after the date of completion of the plan described in paragraph (1), the Director shall review, and revise as appropriate, the San Francisco Bay Plan.

"(e) OUTREACH.—In carrying out this subsection, the Director shall consult with the Estuary Partnership and Indian tribes and solicits input from other non-Federal stakeholders.

"(f) GRANT PROGRAM.—

"(1) IN GENERAL.—The Director may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for projects, activities, and studies identified on the annual priority list compiled under subsection (c).

"(2) MAXIMUM AMOUNT OF GRANTS; NON-FEDERAL SHARE.—

"(A) MAXIMUM AMOUNT OF GRANTS.—Amounts provided to any entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any projects, activities, and studies that are to be carried out using those amounts.

"(B) NON-FEDERAL SHARE.—Not less than 25 percent of the cost of any project, activity, or study carried out using amounts provided under this section shall be provided from non-Federal sources.

"(3) FUNDING.—

"(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this title—$25,000,000 for each of fiscal years 2021 through 2025.

"(B) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for the fiscal year the Director may not use more than 5 percent to pay administrative expenses incurred in carrying out this section.

"(C) PROHIBITION.—No amounts made available under this section may be used for the administration of a management conference under section 320.

"(g) ANNUAL BUDGET PLAN.—In each of fiscal years 2021 through 2025, the President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal department and agency involved in San Francisco Bay protection and restoration, including—

"(1) a report that displays for each Federal agency—

"(A) the amounts obligated in the preceding fiscal year for protection and restoration projects, activities, and studies relating to the San Francisco Bay; and

"(B) the proposed budget for protection and restoration projects, activities, and studies relating to the San Francisco Bay. and

"(2) a description and assessment of the Federal role in the implementation of the San Francisco Bay Plan and the specific role of each Federal department and agency involved in San Francisco Bay protection and restoration, including specific projects, activities, and studies conducted or planned to achieve the identified goals and objectives of the San Francisco Bay Plan."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from Florida (Mr. MAST) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1132, as amended.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1132. Introduced by the gentlewoman from California (Ms. SPEIER), H.R. 1132 builds off existing bay restoration work under EPA's National Estuary Program.

In my home State of California, the importance of a healthy watershed and improved water quality has never been more apparent. In fact, the San Francisco Bay estuary drains more than 40 percent of our State's waters.

That is why I am thankful to see several of my colleagues from California as original cosponsors, including members of this committee: Mr. GARAMENDI, Mr. HUFFMAN, and Mr. DESAULNIER.

At our June hearing, the subcommittee learned about the ongoing sources of pollution to this 1,600-square-mile estuary. Simultaneously, habitat destruction has forever changed the geography of the bay area. More than 90 percent of San Francisco wetlands and 40 percent of the total aquatic ecosystem have been lost.

This new EPA program office will concentrate Federal efforts to address water quality challenges and ecosystem health in the bay. This will improve the environment and economy for the bay area region that is home to 8 million people and an annual GDP of $775 billion.

Mr. Speaker, I support H.R. 1132, and I urge my colleagues to do the same.

Mr. Speaker, I include in the RECORD letters in support of H.R. 1132, the San Francisco Bay Restoration Act, from the National Audubon Society and Save the Bay.
globaly significant populations of both Saltmarsh Sparrow and Black Rail. HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $900 million per year.

HR 2287—PROMOTING UNITED GOVERNMENT

EFTSOES TO SAVE OUR SOUND

Act

Despite significant investments in Puget Sound recovery, the federal, state, tribal and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery is significantly behind expectations. An estimated one million acres of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, flasheating birds appear to be at the greatest risk. HR 2247 would authorize up to $50 million in funding for Puget Sound recovery. The Puget Sound Action Plan provides the capacity to improve the Bay, building efficiently on elements already in place to improve our economy and the region’s quality of life.

In 2016, San Francisco Bay Area voters agreed to make an unprecedented investment in San Francisco Bay Restoration, ap-proaching $1 billion annually for those purposes. Measure AA was approved by more than 70 percent of the region’s voters, and is raising $500 million over 20 years for additional funding for the Bay region restoration projects, most of which are occurring on federal property with the San Francisco Bay project. The National Wildlife Federation has found that federal funding for this other restoration work is overdue, and HR 1132 would begin to address that need by authorizing $25 million annually for five years.

HR 1132 also would address the inequity in funding for U.S. EPA Geographic Programs, which are annually providing orders of magnitude higher funding to other national estuaries under strong statutory authority with-in the Clean Water Act. San Francisco Bay deserves similar support and commitment as the federal government provides to Chesapeake Bay, Puget Sound and other locations, and HR 1132 begins to rectify that disparity.

Each month provides evidence of added urgency and need for the San Francisco Bay Program and resources that HR 1132 creates. Tidal marsh restoration is essential to protect Bay wildlife habitat, and adjacent shoreline communities and infrastructure from sea level rise. The recent Baylands and Fiddleneck Fire and tidal marsh revegetation must be initiated where-ever possible within the next decade to stay ahead of rising seas, and the recent California Governor Gavin Newsom stated in January, “the Bay is experiencing a global climate crisis. One that has irreversible impacts and is happening right now. This is not something to deal with 10 years from now. Or 5 years from now. Or a 10-year period from now. We need action. Now.”

We deeply appreciate the strong support from Speaker Pelosi and the entire San Francisco Bay delegation for HR 1132. We encourage the House of Representatives pass this bill swiftly, and we pledge our continued assistance towards its enactment. Thank you again for your leadership!

Sincerely,

DAVID LEWIS,
Executive Director.

Mrs. NAPOLITANO, the entire San Francisco Bay delegation for HR 1132. We encourage the House of Representatives pass this bill swiftly, and we pledge our continued assistance towards its enactment. Thank you again for your leadership!

Sincerely,

DAVID LEWIS,
Executive Director.

Mrs. NAPOLITANO, the entire San Francisco Bay delegation for HR 1132. We encourage the House of Representatives pass this bill swiftly, and we pledge our continued assistance towards its enactment. Thank you again for your leadership!

Sincerely,

DAVID LEWIS,
Executive Director.
25 million people and irrigation for 7,000 square miles of agriculture. It includes important economic resources, such as water supply infrastructure, ports, deepwater shipping channels, major highway and railway corridors, and energy lines.

Mr. Speaker, I urge support of this legislation, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield such time as she may consume to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I thank the gentlewoman for yielding me time, and I urge support of this important legislation, and I yield back the balance of my time.

Ms. SPEIER. Mr. Speaker, today, we are taking up the San Francisco Bay Restoration Act. This is legislation I have introduced to Congress since 2008. Since then, the environmental conditions of the bay have only grown worse.

The bay is the heart of the region, with a vibrant ecosystem that is home to the largest estuary on the West Coast. It generates more than $370 billion in goods and services annually and is home to more than 3 million jobs.

 restoration, endangered species recovery, and coastal resiliency, using natural systems as a buffer against rising sea levels.

Mr. Speaker, I thank the gentlewoman from California (Mrs. NAPOLITANO) for her leadership on this issue.

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2247) to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

SEC. 1. SHORT TITLE.

This Act may be cited as the ”Promoting United Government Efforts to Save Our Sound Act” or the ”PUGET SOS Act”.

SEC. 2. PUGET SOUND COORDINATED RECOVERY.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 124. PUGET SOUND.

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) COASTAL NONPOINT POLLUTION PROGRAM.—The term ‘Coastal Nonpoint Pollution Control Program’ means the program established under subsection (d) of section 319 of the Federal Water Pollution Control Act, as amended, was passed.

“(2) INTERNATIONAL J OINT COMMISSION.—The term ‘International Joint Commission’ means the International Joint Commission established by the United States and Canada under the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

“(3) FEDERAL ACTION PLAN.—The term ‘Federal Action Plan’ means the federal action plan established under section 320.

“(4) PACIFIC SALMON COMMISSION.—The term ‘Pacific Salmon Commission’ means the Pacific Salmon Commission established by the United States of America and the Governments of Canada and the United States of America, as amended.

“(5) P UGET SOUND.—The term ‘Puget Sound’ means the water body on the west coast of the State of Washington bounded by the north Puget Sound coast of the State of Oregon and the south Puget Sound coast of the State of Idaho and the adjacent state of British Columbia.

“(6) PROGRAM OFFICE.—The term ‘Program Office’ means the Puget Sound Recovery National Program Office established by subsection (c).
Canal and the Strait of Juan de Fuca.

from the Canadian border to the northwest corner of the State of Washington region' means the land and waters in the vicinity to support the Puget Sound National Estuary Program. shall be to locate, in the State of Washington.

(A) IN GENERAL.—The term ‘Puget Sound Partnership' means the State agency that is established under the laws of the State of Washington (section 90.71.210 of the Revised Code of Washington), or its successor, that has been designated by the Administrator as the lead entity to support the Puget Sound National Estuary Program Management Conference.

(12) PUGET SOUND REGION.—

(A) A Puget Sound region means the land and waters in the northwest corner of the State of Washington from the Canadian border to the north to the Strait of Juan de Fuca.

(B) INCLUSION.—The term Puget Sound region includes the waters that fall on the Olympic and Cascade Mountains and flows to meet Puget Sound's marine waters.

(13) PUGET SOUND TRIBAL MANAGEMENT CONFERENCE.—The term ‘Puget Sound Tribal Management Conference’ means the 20 treaty Indian tribes of western Washington and the Northwest Indian Fisheries Commission.

(14) THE Puget Sound region means the network of coastal waterways on the west coast of North America that includes the Puget Sound, the Strait of Georgia, and the Strait of Juan de Fuca.

(15) SALMON RECOVERY PLANS.—The term ‘Salmon Recovery Plans’ means the recovery plans for salmon and steelhead species approved by the Secretary of the Interior under section 4(f) of the Endangered Species Act of 1973.

(16) STATE ADVISORY COMMITTEE.—The term 'State Advisory Committee' means the advisory committee established by subsection (e).

(17) TREATY RIGHTS AT RISK INITIATIVE.—

The term 'Treaty Rights at Risk Initiative' means the report from the treaty Indian tribes of western Washington entitled ‘Treaty Rights at Risk: Habitat and the Decline of the Salmon Resource, and Recommendations for Change' and dated July 14, 2011, or its successor report, which outlines issues and offers solutions for the protection of tribal treaty rights, recovery of salmon habitat, and management of sustainable and nontreaty salmon fisheries, including through tribal salmon hatchery programs.

(b) CONSISTENCY.—All Federal agencies represented on the Puget Sound Federal Leadership Task Force shall act consistently with the protection of Tribal, treaty-referred rights and, to the greatest extent practicable given such agencies' existing obligations under Federal law, act consistently with the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program.

(18) CONGRESSIONAL RECORD — HOUSE

February 5, 2020

H7899

CONGRESSIONAL RECORD — HOUSE

February 5, 2020

H7899

means the Puget Sound Federal Leadership Task Force established in 2016 under a memorandum of understanding among 9 Federal agencies.

(10) Puget Sound National Estuary Program Management Conference.—The term ‘Puget Sound National Estuary Program Management Conference’ or ‘Management Conference' means Puget Sound convened pursuant to section 323(a)(8) of title 5, United States Code.

(A) IN GENERAL.—The Director of the Program Office shall be a career reserved position, as such term is defined in section 31.12(a)(8) of title 5, United States Code.

(B) QUALIFICATIONS.—The Director of the Program Office shall have leadership and project management experience and shall be highly qualified to—

(i) direct the integration of multiple project planning efforts and programs from different agencies and jurisdictions; and

(ii) align numerous, and often conflicting, needs toward implementing a shared Action Agenda with visible and measurable outcomes.

(3) DELEGATION OF AUTHORITY; STAFFING.—Using amounts made available pursuant to subsection (i), the Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.

(4) DUTIES.—The Director shall—

(A) coordinate and manage the timely execution of the requirements of this section, including the formation and meetings of the Puget Sound Federal Leadership Task Force;

(B) coordinate activities related to the restoration and protection of Puget Sound across the Environmental Protection Agency;

(C) coordinate and align the activities of the Administrator with the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;

(D) promote the efficient use of Environmental Protection Agency resources in pursuance of Puget Sound restoration and protection;

(E) serve on the Puget Sound Federal Leadership Task Force to collaborate with, help coordinate, and implement activities with other Federal agencies that have responsibilities involving Puget Sound restoration and protection;

(F) provide or procure such other advice, technical assistance, research, assessments, monitoring, or other support as is determined by the Director to be necessary or prudent to most efficiently and effectively fulfill the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program consistent with the best available science and to ensure the health of the Puget Sound ecosystem;

(G) track the progress of the Environmental Protection Agency towards meeting the Agency's specified objectives and priorities within the Action Agenda and the Federal Action Plan;

(H) implement the recommendations of the Comptroller General, set forth in the report entitled ‘Puget Sound Restoration: Additional Actions Could Improve Assessments of Progress' and dated July 19, 2018;

(I) serve as liaison and coordinate activities among the agencies represented on the Puget Sound Federal Leadership Task Force; and

(J) carry out such duties as the Administrator determines necessary and appropriate.
(x) submit a biennial report under subsection (g) on the progress made toward carrying out the Federal Action Plan.

(B) PUGET SOUND FEDERAL ACTION PLAN.—

(1) Not later than 3 years after the date of enactment of this section, the Puget Sound Federal Leadership Task Force shall develop and approve a Federal Action Plan that integrates Federal programs across agencies and serves to coordinate diverse programs on a specific suite of priorities on Puget Sound recovery.

(2) IMPLEMENTATION OF PUGET SOUND FEDERAL ACTION PLAN.—Not less often than once every 5 years after the date of completion of the Federal Action Plan described in clause (1), the Puget Sound Federal Leadership Task Force shall review, and if appropriate, update the Federal Action Plan.

(C) FEEDBACK BY FEDERAL AGENCIES.—In facilitating feedback under subparagraph (A)(iii), the Puget Sound Federal Leadership Task Force shall request Federal agencies to consider, at a minimum, possible Federal actions designed to—

(i) further the goals, targets, and actions of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;

(ii) implement and enforce this Act, the Endangered Species Act of 1973, and all other Federal laws that contribute to the restoration and protection of Puget Sound, including those that protect Tribal treaty rights;

(iii) prevent the introduction and spread of invasive species;

(iv) prevent the destruction of marine and wetland habitats;

(v) protect, restore, and conserve forests, wetlands, riparian zones, and nearshore waters that provide marine and wildlife habitat;

(vi) promote resilience to climate change and ocean acidification effects;

(vii) conserve and recover endangered species under the Endangered Species Act of 1973;

(viii) restore fisheries so that they are sustainable and productive;

(ix) preserve biodiversity;

(x) restore and protect ecosystem services that provide clean water, filter toxic chemicals, and increase ecosystem resiliency; and

(xi) improve water quality and restore wildlife habitat, including by preventing and managing water runoff, incorporating erosion control techniques and trash capture devices, using sustainable stormwater practices, and mitigating and minimizing nonpoint source pollution, including marine litter.

(D) PARTICIPATION OF STATE ADVISORY COMMITTEE AND PUGET SOUND TRIBAL MANAGEMENT CONFERENCE.—

(A) IN GENERAL.—The Puget Sound Federal Leadership Task Force shall carry out its duties with input from, and in collaboration with, the Puget Sound Tribal Management Conference and Puget Sound Tribal Management Conference.

(B) SPECIFIC ADVICE AND RECOMMENDATIONS.—The Puget Sound Federal Leadership Task Force shall seek the advice and recommendations of the State Advisory Committee and Puget Sound Tribal Management Conference and Conference that will benefit the restoration and protection effort of Puget Sound.

(E) MEMBERSHIP.—

(A) IN GENERAL.—Members appointed under this paragraph shall have experience and expertise in matters of restoration and protection of large watersheds and bodies of water, and shall benefit the restoration and protection effort of Puget Sound.

(B) COMPOSITION.—The Puget Sound Federal Leadership Task Force shall be composed of the following members:

(i) SECRETARY OF AGRICULTURE.—The following individuals appointed by the Secretary of Agriculture:

(A) A representative of the Corps of Engineers.

(B) A representative of the National Forest Service.

(ii) REPRESENTATIVE OF THE NATURAL RESOURCES CONSERVATION SERVICE.—A representative of the Natural Resources Conservation Service.

(iii) SECRETARY OF COMMERCE.—A representative of the National Oceanic and Atmospheric Administration, appointed by the Secretary of Commerce.

(iv) SECRETARY OF DEFENSE.—The following individuals appointed by the Secretary of Defense:

(A) A representative of the Corps of Engineers.

(B) A representative of the Joint Base Lewis-McChord.

(C) A representative of the Navy Region Northwest.

(v) DIRECTOR.—The Director of the Program Office.

(vi) SECRETARY OF HOMELAND SECURITY.—The following individuals appointed by the Secretary of Homeland Security:

(A) A representative of the Coast Guard.

(B) A representative of the Federal Emergency Management Agency.

(C) SECRETARY OF INTERIOR.—A representative of the Interior.

(D) A representative of the Bureau of Indian Affairs.

(E) A representative of the United States Fish and Wildlife Service.

(F) A representative of the United States Geological Survey.

(G) A representative of the National Park Service.

(H) SECRETARY OF TRANSPORTATION.—The following individuals appointed by the Secretary of Transportation:

(A) A representative of the Federal Highway Administration.

(B) A representative of the Federal Transit Administration.

(I) ADDITIONAL MEMBERS.—Representatives of such other agencies, programs, and initiatives as the Puget Sound Federal Leadership Task Force determines necessary.

(J) LEADERSHIP.—The Chairs shall ensure that the Puget Sound Federal Leadership Task Force complies with all duties assigned in subsection (a).

(K) TRAVEL EXPENSES.—The Puget Sound Federal Leadership Task Force may be paid by the agency or department that the member represents, a State Advisory Committee, and any working group of the Puget Sound Federal Leadership Task Force, for service as a member on the Puget Sound Federal Leadership Task Force.

(L) TRAVEL EXPENSES.—Travel expenses incurred by a member of the Puget Sound Federal Leadership Task Force in the performance of service on the Puget Sound Federal Leadership Task Force, as determined necessary by the agency or department that the member represents, may be paid by the Puget Sound Federal Leadership Task Force.

(M) TERMINATION.—The Puget Sound Federal Leadership Task Force shall terminate after the date of enactment of this section, subject to the extent practicable, use the work produced, reviewed, and funded by the Puget Sound Federal Leadership Task Force in order to avoid duplicating the efforts of the Puget Sound Federal Task Force.

(N) STATE ADVISORY COMMITTEE.—

(A) ESTABLISHMENT.—There is established a State Advisory Committee.

(B) MEMBERSHIP.—The committee shall consist of at least 7 members designated by the Governor of Washington, representing State agencies that have significant roles and responsibilities related to Puget Sound recovery.

(O) FEDERAL ADVISORY COMMITTEE ACT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and biennially thereafter, the Puget Sound Federal Leadership Task Force, State Advisory Committee, and any working group of the Puget Sound Federal Leadership Task Force shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

(B) JOINT MEETINGS.—The Puget Sound Federal Leadership Task Force shall meet twice per year to carry out the duties of the Puget Sound Federal Leadership Task Force.

(C) WORKING GROUP MEETINGS.—Meetings of any established working groups or committees of the Puget Sound Federal Leadership Task Force shall not be considered a biennial meeting for purposes of subparagraph (B).

(D) TREATY RIGHTS.—The Puget Sound Federal Leadership Task Force shall not include, or make decisions that may be considered a biennial meeting of the Puget Sound Federal Leadership Task Force for purposes of subparagraph (B), if agreed upon by the Federal Leadership Task Force, State Advisory Committee, and any working group of the Puget Sound Federal Leadership Task Force.

(7) MEETINGS.—

(A) INITIAL MEETING.—The Puget Sound Federal Leadership Task Force shall hold its initial meeting no later than 180 days after the date of enactment of this section to—

(i) determine if all Federal agencies are properly represented;

(ii) to establish the bylaws of the Puget Sound Federal Leadership Task Force;

(iii) to establish necessary working groups or committees; and

(iv) to determine necessary subsequent meeting times, dates, and logistics.

(B) SUBSEQUENT MEETINGS.—After the initial meeting, the Puget Sound Federal Leadership Task Force shall meet at least twice per year to carry out the duties of the Puget Sound Federal Leadership Task Force.
the governing body of the Puget Sound Partnership a report that summarizes the progress, challenges, and milestones of the Puget Sound Federal Leadership Task Force on the restoration and protection of Puget Sound.

(2) CONTENTS.—The report under paragraph (1) shall include a description of the following:

(A) The roles and progress of each State, local government entity, and Federal agency that has jurisdiction in the Puget Sound region toward meeting the identified objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Programs.

(B) If available, the roles and progress of Tribal governments that have jurisdiction in the Puget Sound region toward meeting the identified objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Programs.

(C) A summary of specific recommendations concerning implementation of the Action Agenda and Federal Action Plan, including milestones, targets, and anticipated milestones, targets, and timelines.

(D) A summary of progress made by Federal agencies toward the priorities identified in the Action Plan.

(h) CROSSCUT BUDGET REPORT.—

(1) FINANCIAL REPORT.—Not later than 1 year after the date of enactment of this section, and every 5 years thereafter, the Director of the Office of Management and Budget, in consultation with the Puget Sound Federal Leadership Task Force, shall, in conjunction with the annual budget submission of the President to Congress for the year under section 1105(a) of title 31, United States Code, submit to Congress and make available to the public, including through the internet, a financial report that is certified by the head of each agency represented by the Puget Sound Federal Leadership Task Force.

(2) CONTENTS.—The report shall contain

(A) the proposed funding for any Federal restoration and protection activity to be carried out in the succeeding fiscal year, including any agency or interagency transfer, for each of the Federal agencies that carry out restoration and protection activities;

(B) the estimated expenditures for Federal restoration and protection activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(C) the estimated expenditures for Federal environmental research and monitoring programs from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year.

(3) INCLUDED RECOVERY ACTIVITIES.—With respect to activities described in the report, the report shall only describe activities that have funding amounts more than $100,000.

(4) SUBMISSION TO CONGRESS.—The Director of the Office of Management and Budget shall submit the report to:

(A) the Committee on Appropriations, the Committee on Natural Resources, the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Environment and Public Works, and the Committee on Commerce, Science, and Transportation of the Senate.

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds authorized to be appropriated for activities related to Puget Sound, there is authorized to be appropriated for this section $50,000,000 for each of fiscal years 2021 through 2025.

(2) PRESERVATION OF TREATY OBLIGATIONS AND EXISTING FEDERAL ACTIVITIES.—

(A) TRIBAL TREATY RIGHTS.—Nothing in this section affects, or is intended to affect, any right reserved by treaty between the United States and 1 or more Indian tribes.

(B) OTHER FEDERAL LAW.—Nothing in this section affects the requirements and procedures of other Federal law.

(K) POLLUTION CONTROL PROGRAMS.—No provisions authorized or implemented under this section shall be consistent with—

(1) the Endangered Species Act of 1973 and the Salmon Recovery Plans of the State of Washington;

(2) the Coastal Zone Management Act of 1972 and the Coastal Nonpoint Pollution Control Program;

(3) the water quality standards of the State of Washington approved by the Administrator under section 303; and

(4) other applicable Federal requirements.

The SPEAKER pro tempore (Mr. HIGGINS of New York). Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from Florida (Mr. MAST) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENRAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2247, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 2247 would establish a new program office within EPA to enhance rehabilitation efforts for Puget Sound in Washington State. Introduced by the gentlemen from Washington, Mr. HECK and Mr. KILMER, H.R. 2247 builds on an existing program for the Sound under EPA's National Estuary Program.

The bill authorizes $50 million annually over 5 years to establish a Puget Sound Federal Leadership Task Force that will coordinate the wide-ranging priorities for recovery of the region.

We heard in our subcommittee hearing in June that human development has degraded the water quality and habitat of the Sound. We need to do more to protect our iconic waters, like Puget Sound, on which 4.5 million people rely for food, clean water, and other ecosystem services.

We also know that the health of these waterways impacts critical species, such as salmon and the orca whales and a variety of other wildlife across the State. The Sound has been a member of the National Estuary Pro-
Hon. Peter DeFazio,  
Chairman, Committee on Transportation and Infrastructure, Washington, DC.  
Hon. Cathy McMorris Rodgers,  
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN DEFazio AND RANKING MEMBER McMORRIS ROGERS, 

In your letter of August 13, 2019, you are writing to urge your support to pass H.R. 2247, the “Promoting United Government Efforts To Save Our Sound” (PUGET SOS) Act. Introduced this year by Congressman Denny Heck and Congressman Derek Kilmer to strengthen federal support for actions that are essential to Puget Sound recovery. Puget Sound’s ecosystems encompassing mountains, farmlands, cities, rivers, forests, and wetlands. Sixteen major rivers flow to Puget Sound and 20 treaty tribes call the region home.

Currently, 4.5 million people live in the Puget Sound area, with another 1.3 million expected to live here by 2040. In May, the Seattle Times reported that Seattle was the second fastest growing city in the nation in 2018, and the fastest in 2017. We are a region of innovation and investment: 11.1% of the 500 companies are headquartered in the Puget Sound area, many of which have shaped 21st century life. Our economy is roaring, and the region’s natural beauty and recreational opportunities help businesses and companies attract top talent.

On the surface, Puget Sound looks healthy and inviting, but, in fact, Puget Sound is in grave trouble. Southern Resident orcas, Chinook salmon, and steelhead are all listed under the Endangered Species Act. Toxic chemicals and pharmaceuticals continue to pollute our waterways, and shellfish beds are routinely closed to commercial and recreational harvest due to fecal contamination. The American Fisheries Society states that significant investments in energy and resources from federal, tribal, state, and local governments, habitat degradation continues to outpace restoration.

While this situation at times seems impossibly gloomy, the hundreds of passionate people who are devoted to seeing the return of a healthy and resilient Puget Sound give us hope.

Scientists say that we can still recover Puget Sound, but only if we act boldly now. We know what needs to be done. We understand the primary barriers between us and more food for orcas, clean and sufficient water for people and fish, sustainable working lands, and harvestable shellfish are funding and political fortitude.

The single greatest step we could take to ensure a durable, sustainable, and science-based effort for Puget Sound recovery is to fully fund the implementation of habitat protection and restoration, water quality protection, and salmon recovery programs. The Puget Sound Act (H.R. 2247) would authorize up to $50 million in funding for Puget Sound recovery, a significant and very welcome jump from the $28 million per year that Congress has appropriated for the last several fiscal years.

The PUGET SOS Act also aligns federal agency efforts and resources. There are tremendous assets. Ensuring that federal agencies are coordinated, setting goals, and holding each other accountable will help increase their effectiveness and provide yet another boost to Puget Sound recovery. Establishing the Puget Sound Program Office at the EPA and codifying a Federal Task Force promise to be major wins.

Passage of the PUGET SOS Act would demonstrate to the nation that Puget Sound is vital to the economic, cultural, and environmental well-being of the United States, and to the United States investing significantly in the health and wellbeing of Puget Sound, federal decision-makers demonstrate to the nation that Puget Sound is worth saving.

Thank you for your past support of Puget Sound recovery. I urge you to support H.R. 2247, the PUGET SOS Act. I encourage the federal government is a viable, willing partner in this race against time.

Sincerely,

LAURA L. BLACKMORE,  
Executive Director, Puget Sound Partnership;  
Eoin Doherty, Managing Contractor;  
Nicholas Georgiadis, PhD, Sr. Research Scientist, Puget Sound Institute, University of Washington; Tanya Schroeder, Island County Planning Commission; Steve Dubiel, Executive Director, EarthCorps; Jeanette Dorner, Chair, Pierce Conservation District; Jesse Salmonon, Senator, 22nd Legislative District; Kevin Slenkhomish, Snohomish County Council Executive; Diane Buckshnis, Edmonds City Council Position #4, WRIA 8 Salmon Recovery Council; Stephanie Wright, Snohomish County Councilmember; Katherine Walton, Livable Communities Coordinator, Futurewise; Helen Price Johnson, Board of Island County Commissioner; Bob Andrew, Mt. Baker Snoqualmie Tribe; Terry Williams, Co-chair, Snohomish Basin Salmon Recovery Forum; James W. Miller; Co-chair, Snohomish Basin Salmon, Recovery Forum; Norm Dicks, Former United States Representative, House Appropriations Committee, Defense Sub; Mark Phillips, City of Lake Forest Park Councilmember; Vice Chair, Pierce County Council; Bill Phillips, Seattle City Councilmember; Stephanie Solien, Co-chair, Southern Resident Orca Task Force; Will Hall, Mayor, City of Shoreline; John Hoekstra on behalf of Mountains to Sound Greenway Trust; Dennis Law, Mayor, City of Renton; Teresa Mosqueda, Seattle City Councilmember at Large; Executive Director, Friends of the San Juans; Teresa Mosqueda, Seattle City Councilmember; John Stokes, City of Bellevue Councilmember, Chair of WRIA #8 Salmon Recovery Council; Jacques White, Executive Director, Long Live the Kings; Commissioner Janet St. Claire, Board of Island County Commissioners, District 2; John Wiesman, DrPH, MPH, Secretary, Department of Health.

Stephanie Wright, Executive Director, RE Sources for Sustainable Communities; Shari Tarantino, Board President, Orca Conservancy; Robert Davidson, President & CEO, Seattle Aquarium; David Baker, Mayor, City of Kenmore; Keith Bernard, Chair on behalf of Skagit Fisheries Enhancement Group; Allan Elkkang, Mayor, City of Tukwila; Mindy Roberts, Program Director, WA Environmental Council; Cathy Lambert, King County Councilmember.

Nancy Backus, Mayor, City of Auburn; Howard Garrett, Orca Network President; Dow Constantine, King County Executive; David O. Earling, Mayor, City of Edmonds; Lunell Haught, President, League of Women Voters; Liza M. Sellon, Director, WA State Department of Ecology; Gail Gatton on behalf of Audubon Washington, Executive Director and Vice President; Senator Derek E. James; Senator Adam Kowlzan, 31st Leg District; Jamie Stephenson, San Juan County Council Chair; Jay Manning, Chair, Leadership Council, Puget Sound Partnership; Jon --->
Puget Sound Partnership; Robert Kaye, Conservation Committee Chair, North Cascades Audubon; John Burk, Division Manager, City of Tacoma; Nan McKay, Member, Northwest Straits Foundation Board of Directors; Past Chair, Puget Sound Action Team; Past Executive Director, Hood Canal Salmon Enhancement Foundation; Lance Winneke, Executive Director, South Puget Sound Salmon Enhancement Group; Sami Newton, Co-Director, Washington Ocean Acidification Center; Terrie Dowsett, Director, Washington Ocean Acidification Center; Alan Clark, Chair, Northwest Straits Conservation District; Jeff Cummins, President, Skagit Audubon Society; Deborah Stinson, Mayor, City of Port Townsend.

Private Citizens:
Elizabeth Chapple, Donghi S. Nickerson, Kiki Izzz, Natasha Lozano, Holly Powers, Jennifer Stoffel, Phil Amringer, Linda Studley, Lynn Stansbury, Raven Skyriver, Fred Rowley, Angela Liilgreven, Tamara Stewa, Leah Zuckerman, James Nichols, Kathy Jacoby, Joan Alworth, JP Kemminger, Jessica Simkins, Shadyth, Gina Synsour, Dany Border, Betsy Adams, Joni K. Dennison, Richard Noll, Scott Patrick, Annika Fain, Carla Martinez, Benjamin Harlow, Joann Mises, Jo Miller, Katie Devlin, Desi Nagy, Barbara Rosenkotter, Pam Barber, Kate Pflaumer, Matt Nunn, Sharon Trux, Emily Norland, Margorie Millier.

Stacey McKinley, Brenda Michaels, Chris Tompkins, Curtis Cawley, Jane Jaehning, Randy Director, Anne Hawkins, Chris Mars, Matt McKenna, John Smith, David Taft, Bea Kelleg, Pat Peterson, Julia Buck, Donna Mason, Pamela Harris, John Murphy, Amanda Wood, Sue Wineman, Sue Froeschner, Ashley Song, Rich Bergner, Walt Tabler, Mary Jean Gasick, Benjamin Premack, Richard Kimball, Brian Gynn, Jon Potte, Lynn Barker, Charles Barker, Roseann Seeley, Ara Bijj Kobara, Dorrie Jordan, Jeanette Kors, Brandon Herman, Lyle Anderson, Mike Snow, Steve Arnold, John Lundquist, Doris Wilson.


Elizabeth Rommel, Rhonda Sushi, Francis Lenski, Paul Roberts, Aaron Flaster, Marco Constans, Ginny Davis, Marilyn Smith, Richard Horner, Veronica Jamison, Ann Johnson, Donna Alexander, Philip Phinney, Oshkawa; Emily Rahmann, Robert Triggs, Don Thomsen, Sandra Boren, Alex Logan, Chris Burgett, Cathy O'Shea, Julie Lakey, Mary Jane Smith, Kathleen Devereux, Richard Weiss, Janice Sears, Linnda Massey, Paul Shelton, Jim McRoberts, Maria DeLeo, Rebecca Yamauchi, Terence McDonald, George Keeve, Connie Nelson, Janet Wynne, Yolanda Sayles, James Hipp, Michael Garten, Liz Campbell, Pike Oliver, Jonny Layesky, Lauren Simmons.


Hon. Peter DeFazio, Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. Grace Napolitano, Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. Bruce Westerman, Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

HR 405—GREAT LAKES RESTORATION INITIATIVE
The Great Lakes are home to 30 million people and 350 species of birds, but increasing challenges are on the horizon for the world’s largest body of freshwater. Fluctuating water levels exacerbated by climate change, invasive exotic species and excess nutrients are putting even more stress on this ecosystem that is so important for birds and the places they depend on for survival. The Great Lakes Restoration Initiative has helped clean up toxic pollutants, protect wildlife by restoring critical habitat, and help combat devastating invasive species.

HR 4031—would increase funding for conservation and restoration activities over five years, by increasing the Great Lakes Restoration Initiative’s authorization incrementally from $300 million per year to $475 million per year.

HR 125—SAN FRANCISCO BAY RESTORATION ACT
The San Francisco Bay Area, home to the Pacific Coast’s largest estuary, is also home to a rapidly growing population of 8 million people, and provides for a host of social and economic values through ports and industry, agriculture, fisheries, archaeological and cultural sites, recreation. However, San Francisco Bay has lost 90% of its tidal wetlands and more than 50% of its eelgrass and mudflat habitat. Climate change, accelerating drought that alters the salinity balance, ocean acidification that reduces species abundance and diversity, increasing water temperatures, and rising seas causing flood- ing that eliminates living shorelines and puts communities at risk. Many species of waterbirds forage in the San Francisco Bay, including Brant Geese, underscoring the value of this ecosystem.

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $250m per year to support the restoration of this estuary.

HR 1629—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT
Salt marshes are special places to birds and other wildlife, but sea level rise has elevated tides and waters in the Bay by one foot during the 20th century and is accelerating due to climate change. Salt marshes provide valuable “ecosystem services”, including nurseries for many species of Bay’s commercially important fish, a buffer protecting coastal communities against storm surge, a filter that stops nutrient and sediment runoff from agricultural lands, and a recreational resource attracting visitors who contribute millions of dollars to local economies. Chesapeake Bay’s salt marshes host globally significant populations of both Saltmarsh Sparrow and Black Rail.

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $1 billion.

HR 226—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT
Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerns members of the public, and conservation organizations, progress towards ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fish-eating birds appear to be at the greatest risk.

HR 2247 would authorize up to $50 million in new funding for Puget Sound. The PUGET SOS Act also aligns federal agency expertise and resources, ensuring that federal agencies are coordinated, setting goals, and holding each other accountable will help increase their effectiveness and provide a boost to Puget Sound recovery.

HR 3779—RENEWAL REVOLVING LOAN FUND ACT OF 2019
Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and species dependent on shoreline and riverine areas. These changes have led to more frequent instances of “nuisance flooding,” as well as catastrophic events. NOAA has found that “nuisance” or “sunny day” flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flood events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and Pacific Plains, where the amount of precipitation in large rainfall events has increased more than 30 percent above the average observed from 1961-1988. As sea level rise accelerates, it will have negative impacts, which further compounds vulnerability in flood-prone communities.
Mr. HECK. Mr. Speaker, I thank the gentleman from Washington. I ask you this: For those of you who have been to Seattle and have made the comment or a post from an August visit, it is beautiful. What is the image that comes to your mind? It is actually the largest estuary in the United States of America.

Puget Sound and its tributaries are one of the most ecologically diverse in all of North America, and it is, as has been indicated, the economic engine for the western part of our State, supporting maritime industry, commercial and recreational fishing, shellfish growers, tourism, and recreation.

But it is more than that. It is also absolutely critical to the Tribes that reside in Washington State who have stewarded it for literally millennia. And need I remind you; they have treaty-reserved rights to its natural resources.

Above and beyond that, it is central to the identity of anyone from western Washington. I ask you this: For those of you who have been to Seattle and have made the comment or a post from an August visit, it is beautiful. What is the image that comes to your mind? It is of Mount Rainier, above the shimmering waters of the Puget Sound. Or—and more about this later—it is of that magnificent black and white fish, the orca, breaching the surface of the water.

But here is the deal, Puget Sound is dying. Slowly but surely, it is under serious threat. Water and air pollution, sediment contamination, and water flow disruption continue to devastate the fish, marine, mammal, bird, and shellfish populations of Puget Sound.

Indeed, that orca, the Southern Resident orca, population is down to 72, arguably with maybe we need to save the Sound. And if these trends continue, we will lose much of what makes Puget Sound a national treasure so special. And that should concern us all.

Fortunately, there have been many people across the Puget Sound region that have been treating these deteriorating conditions as a call to action. Tribes, State governments, local groups, and private sector people are investing in recovery efforts.

Back in 2013, I teamed up with my good friend, roommate and colleague, Congressman KILMER, to establish the Puget Sound Recovery Caucus to promote Puget Sound preservation at the Federal level.

And in 2016, the Obama administration created the Puget Sound Federal Task Force, by executive action, to coordinate recovery efforts more efficiently among the Federal agencies. Still, we must bring more attention to bear on Puget Sound recovery, and that is why we introduced the PUGET SOS Act.

The bill will simply codify the Federal task force to ensure that coordination among Federal agencies continue—and we all want that—into the future and it also creates the Puget Sound Recovery National Program office at the EPA. Let’s put a finite amount of time working on this very important issue, working to address the debilitating impact the environmental degradation in Puget Sound is having on shellfish, on the endangered salmon, and on steelhead. And, as was mentioned, on our iconic Southern Resident killer whales, which are truly on the verge of extinction.

Mr. Speaker, I am very glad to see my friends from the west side of the State, Mr. HECK, who has spent a great deal of his illustrious career working on this issue, as well as Mr. KILMER, who spent a great amount of time working on this very important issue, working to address the debilitating impact the environmental degradation in Puget Sound is having on shellfish, on the endangered salmon, and on steelhead. And, as was mentioned, on our iconic Southern Resident killer whales, which are truly on the verge of extinction.

As my colleague CATHY MCMORRIS RODGERS and I have been saying for years, we must focus on solutions that the science tells us will directly aid fish species now and not waste our precious time and political motivations like the efforts to tear down our dams. This is a deadly distraction from the actual science-based solutions to support salmon recovery.

We must continue to work with our colleagues to address facing endangered fish species throughout our region in a comprehensive manner. The challenges are many:

- We must continue to tackle the pinniped issue, the avian predation issue, but we also must ensure that a robust hatchery program is in place;
- We must continue to prioritize the world-class fish passage in our hydroelectric infrastructure;
- We must continue to take a serious and thoughtful look at fishing and other human-caused impacts; and
- We must build upon the habitat improvements and greater ecological conservation measures.

Mr. Speaker, we must focus on the science, not the politics. We must focus on the facts, not ideology or emotions. While I support the passage of this legislation—and I do—that we are voting today, I believe it can and should only move forward as part of a much more comprehensive discussion and effort in the Pacific Northwest to address the needs of our iconic species;
the protection of our environment; the reliability of our clean, renewable energy infrastructure; and, certainly, the future of our region’s economy and livelihood.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to a gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Speaker, I thank the gentlewoman for yielding.

I rise today in support of the PUGET SOS Act, and I want to thank my good friend and colleague from the State of Washington, Representative HECK, for his tireless leadership on this important legislation, and his partnership in working to recover this iconic body of water.

We know that Puget Sound is critical to the environment and to our economic future in our region as well. Our economy is stronger because of the Sound. Our maritime industry is stronger because of the Sound. Our fisheries, tourism, because—listen—people want to come there. They want to boat or kayak on it. They want to go fishing or crabbing on it. They want to dig for clams and hike along the Sound’s beaches. In fact, our entire ecosystem is vital to people from near and far, including my own family. It is one of our natural treasures.

Some of our region’s most culturally important species, including salmon and orca and Dungeness crab, rely on a healthy Sound. And despite years and years of effort to protect and restore Puget Sound, we still have a lot of work to do to address the significant challenges, including stormwater runoff and acid mine drainage and harmful algal blooms that continue to threaten the crown jewel of our region’s identity and economy. That is why I am proud to see the House advance this critical bill, which will bring to bear the coordinated Federal resources necessary to save Puget Sound.

If we are going to recover our salmon and orca populations, if we are going to ensure future generations can dig for clams, if we are going to respect and uphold treaty rights, we need the Federal Government to step up and support the work already being done by the State and Tribes and local communities and businesses that all depend on a healthy Sound. We need all ears in the water rowing in the same direction. I am proud that, by passing this bill, we will make meaningful progress toward those goals.

Mr. Speaker, I am not just here speaking on this bill as a Representative. I am here today as a dad. If future generations, including my two little girls, are going to have the opportunities to enjoy these treasures and to build their livelihoods in our region, we have got to act now and protect and restore the Sound.

So, again, I thank my colleagues and friend, DENNY HECK, for his leadership on this issue.

I urge my colleagues to support this bill.

Mr. MAST. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Washington (Mrs. RODGERS).

Mrs. RODGERS of Washington. Mr. Speaker, I rise in support of this legislation. I rise in support of the PUGET SOS Act, Save Our Sound Act, important legislation to clean up the Puget Sound.

I join as someone who represents a district in eastern Washington. My district actually borders Idaho, but I believe that we need to be locking arms. We need to be working together to clean up Puget Sound.

For decades, we have invested billions of dollars, billions of dollars in endowment, to recover salmon in the Pacific Northwest and save our orcas, and we need to continue that work to look for the best science to recover salmon and to save our orcas.

I am proud of the work that we have done. We see salmon returns improving. When you look at where we started to where we are today, we are at record levels.

Now, in Washington State, some are suggesting that we need to tear out our dams in order to save salmon and to save our orcas. It is a solution that is not backed by science.

The reason that I am in such support of helping save the Sound and cleaning up Puget Sound is because it is the number one watershed, right now, for salmon and for saving our orcas.

And if we really want to focus on getting results, we need to come together and figure out how we clean up Puget Sound. How do we get the salmon returns improved, and, ultimately, how we all save the salmon.

So, for those of us in eastern Washington, we often feel like some in the State are looking to us. We want to lock arms and figure out how we actually make a difference, and one of those is going to be cleaning up the Puget Sound.

So, in eastern Washington, we have been on the forefront of policy to ensure strong salmon runs and clean up our rivers and lakes. I represent the city of Spokane, the second largest city in Washington State.

The people of the city of Spokane have committed to over $300 million to clean up Spokane River so that we will no longer be dumping raw sewage. The mayor, David Condon, brought people together for an innovative water storage system, and President Barack Obama brought him to the White House to celebrate and honor this innovative approach.

Inland Empire Paper Company has spent nearly a billion dollars on technology to clean up and ensure that the water that goes into the Spokane River is clean.

We are spending millions and millions of dollars to clean up Lake Roosevelt behind Grand Coulee Dam. We are on track to have Lake Roosevelt, our largest drinking water reservoir so that we can enjoy Lake Roosevelt, we can fish, and we can enjoy the beaches.

It breaks my heart, though, when I hear what is going on in Puget Sound and the impact that Puget Sound is having on recovering salmon and orcas. In 2009, 10 million gallons of raw sewage spilled into Puget Sound; in 2017, 250 million gallons of raw sewage spilled into Puget Sound; in 2019, 4.5 million gallons. We have been warned that stormwater is killing coho salmon before they even spawn.

As the Seattle Times said during the 2017 failure that spilled 250 million gallons of sewage into the Sound: “Not a single person from an environmental group or public turned out to test the demand for the proposed West Point Treatment Plant, or even take notice of one of the largest local public infrastructure failures in decades.”

Mr. Speaker, we are failing. We are failing to meet our obligation and the high standards that we expect for every body of water; yet, nearly every week, we have to defend our dams from the same environmental groups that have refused to look at the facts.

So, on this important day, as a Representative from eastern Washington, with my colleagues on both sides of the aisle, to say let’s focus on what is actually going to get the results, what is going to recover salmon, and what is going to save our orcas.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. SCHRIER).

Ms. SCHRIER. Mr. Speaker, I am so proud to be standing on the floor today to support this legislation and to support the PUGET SOS Act. The passage of the bill in this House is something that our State has been collectively working toward for years.

I thank Representative HECK and Representative KILMER and the other Members of the Puget Sound Recovery Caucus for their leadership.

The challenges facing our Sound are great and are compounded by our State’s growth and climate change. Our community is ready to meet these challenges and meet our recovery goals, despite having been listed as threatened since 1999 under the Endangered Species Act.

As the only member from Washington State on the House Agricultural Committee, I plan to use my position to highlight the importance of responsible farming practices, ecosystem recovery, and riparian habitats.

Mr. Speaker, the narrative that we can have farms or fish is false—we can have both. State- and county-level agencies are also doing their part to help both fish and farmers.

The Washington State conservation Commission is doing some amazing
Despite significant and nationally recognized accomplishments, the rate of damage to Puget Sound still exceeds the rate of recovery. To outpace mounting pollutants and other cascading negative impacts, the next step in fortifying the recovery system is to align Federal recovery and protection efforts seamlessly with State, local, and Tribal investments, as the Puget SOS Act would do.

Water and air pollution, sediment contamination, habitat loss and decline, and water flow disruption continue to devastate the fish, marine mammal, bird, and shellfish populations of Puget Sound, threatening local economies, and Tribal treaty rights, and contributing to:

- Significant declines in the populations of wild Chinook Salmon, Coho Salmon, Summer Chum Salmon, Steelhead, and Pacific Herring, which are essential food sources for humans, fish, seabirds, mammals, and other wildlife;
- Risks to the sustainability of fish and shellfish populations, and their food chains, reproductive cycles, and habitats, which also threaten Federal obligations to protect Tribal resources and economies;
- Marine species being listed as at-risk or vulnerable to extinction, according to State, Federal, and provincial lists that identify the species of Puget Sound and surrounding areas, including the iconic population of southern resident Orca;
- Sediment contaminated with toxic substances—such as polychlorinated biphenyls (PCBs), heavy metals (mercury), and oil (grease)—polluting Puget Sound, threatening public health, and posing significant dangers to humans, fish, and other wildlife;
- Rivers and beaches failing to meet water quality standards and becoming unsafe for salmon, as well as business and recreational activities, such as fishing and swimming;
- The closing of shellfish beds from contaminated pollution caused by sources such as stormwater and agricultural runoff; and
- Mortalities and morbidity in shellfish due to the acidification of Puget Sound.

Puget Sound is a national treasure and its recovery and protection will significantly contribute to the environmental, economic, and cultural well-being of the United States and the many Tribal nations that have stewarded it for millennia. The health and productivity of Puget Sound is not only the cornerstone of the region’s quality of life and vibrant economy, but its worldclass salmon, shellfish, and vibrant culture, agriculture, and port activities ripple throughout the Nation.

Threats to Puget Sound, such as water pollution, sediment contamination, environmental degradation, and habitat loss, jeopardize the economic productivity and natural resources that support the increasing population of the region. For nearly a decade, State, local, and Tribal governments, cooperative partnerships, and concerned citizens have worked together in a deliberate and coordinated way to direct and manage public resource allocation toward habitat restoration, improving water quality and shellfish farms, and developing a body of scientific knowledge, all of which have advanced the Puget Sound recovery efforts.

Tribal governments with treaty-reserved rights in the natural resources of Puget Sound have long served as co-managers of fishery resources, have engaged in Puget Sound Partnership processes and public forums to encourage a holistic and scientific approach to recovery efforts, and have continued in their role as stewards of Puget Sound, including by engaging in multi-faceted restoration protection actions, and are thus an indispensable, equal partner in all Puget Sound recovery actions.
upcoming fiscal year, incrementally rising to $92 million for fiscal year 2025.

Since its funding in 1983, EPA’s Chesapeake Bay Program has been working toward improving the water quality and ecosystem health of the single largest estuary in the U.S. Reaching to six States, and the District of Columbia, I might add, the Bay is a cherished water and the number of people and local economies impacted by its health make a program like this very essential.

However, as stakeholders noted in our June 2019 hearing, the ecosystem remains under major stress. The Bay is threatened by nutrient and sediment loads from sources like agricultural runoff, wastewater treatment facilities, land-use changes, urban stormwater runoff and atmospheric deposition. We must continue to prioritize programs like the Chesapeake Bay Program and the protection of our Nation’s water. This bill will support and further incentivize cooperative efforts of all involved to achieve the protection of the Chesapeake Bay.

I would like to recognize several of the bipartisan committee members co-sponsoring the bill, including the gentlemen from Maryland (Mr. BROWN), and the gentleman from Pennsylvania (Mr. FITZPATRICK), and also a former Member of Congress, God rest his soul, Mr. Cummings.

Mr. Speaker, I include in the RECORD letters of support of H.R. 1620 from: Theodore Roosevelt Conservation Partnership, the National Audubon Society, Backcountry Hunters & Anglers, and the Chesapeake Bay Foundation.

SEPTEMBER 17, 2019.
Hon. GRACE F. NAPOLITANO,
Chairman, House Transportation and Infrastructure Subcommittee on Water Resources and Environment, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, House Transportation and Infrastructure Subcommittee on Water Resources and Environment, Washington, DC.

DEAR CHAIRMAN NAPOLITANO AND RANKING MEMBER WESTERMAN: The Theodore Roosevelt Conservation Partnership (TRCP) is a national coalition of sportmen, conservation, and outdoor industry organizations that seeks to ensure all Americans have access to quality places to hunt and fish. We partner with 69 hunting, fishing, and conservation organizations to unite and amplify the voices of America’s more than 40 million sportmen and women whose activities help sustain an $867-billion outdoor recreation economy.

Today, we write in support of the Chesapeake Bay Program Reauthorization Act (H.R. 1620). The legislation would reauthorize the Chesapeake Bay Program and increase its authorized funding level to $90,000,000 for fiscal year 2020 and then increase its authorized funding level by half a million dollars each year through fiscal year 2024. The Chesapeake Bay Program provides critical federal funding to the nation’s first estuary on the northeastern Atlantic coast, through several-fold by state and local dollars, to improve the quality of water and wetlands habitat in the Bay watershed.

The Chesapeake Bay Program is important to the continued conservation and restoration of the Chesapeake Bay. While the health of the Bay had been consistently improved over the last decade, the 2018 State of the Bay Report showed that the health of the Bay declined over the past year due to an incredible amount of pollutants that greatly increased the amount of nitrogen, phosphorus, sediment, and debris that flowed into the Bay. Insignificant increases in funding for federal programs that help to restore the Bay, such as the EPA’s Chesapeake Bay Program, this iconic waterbody will not be able to recover.

Thank you for your consideration and we look forward to working with your subcommittee to help increase funding in order to protect and restore our iconic waterbodies.

Respectfully,
THEODORE ROOSEVELT CONSERVATION PARTNERSHIP — AUDUBON, NATIONAL AND INTERNATIONAL PROGRAMS, September 18, 2019.
Hon. Peter DeFazio,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. Sam Graves,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. Grace Napolitano,
Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. Bruce Westerman,
Ranking Member, Committee on Water Resources and Environment, Washington, DC.

On behalf of the National Audubon Society’s more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills reauthorized under the Great Lakes and water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

HR 401—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019
The Great Lakes are home to 30 million people and 350 species of birds, but increasing challenges are on the horizon for the world’s largest body of freshwater. Fluctuating water levels exacerbated by climate change, invasive exotic species and excess nutrients are putting even more pressure on this system that is so important for birds and people. The Great Lakes Restoration Initiative has helped clean up toxic pollutants, protect coastal and wetland habitat, and help combat devastating invasive species.

HR 403 would increase funding for conservation projects to $475 million over five years, by increasing the Great Lakes Restoration Initiative’s authorization incrementally from $300 million per year to $475 million per year.

HR 1132—SAN FRANCISCO BAY RESTORATION ACT
The San Francisco Bay Area, home to the Pacific Coast’s largest estuary, is also home to a rapidly growing population of 6 million people, and provides for a host of social and economic values through ports and industry, agriculture, fisheries, archaeological and cultural sites, recreation, and research. However, San Francisco Bay has lost 90% of its tidal wetlands and more than 50% of its eelgrass and kelp forest habitat. Climate change exacerbates these conditions through drought that alters the salinity balance, ocean acidification that reduces species abundance and diversity, and increasing water temperatures, and rising seas causing flooding that eliminates living shorelines and puts communities at risk. Many species of waterfowl and birds wintering in San Francisco Bay, including Brant Geese and Surf Scoters, underscore the value of this ecosystem.

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $25m per year to support the restoration of this estuary.

HR 1620—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT
Salt marshes are special places to birds and other wildlife, but sea level rise has elevated the waters in the Chesapeake Bay by one foot during the 20th century accelerating due to climate change. Salt marshes provide valuable “ecosystem services”, including nurseries for the Chesapeake Bay’s globally important fish, a buffer protecting coastal communities against storm surge, a filter that stops nutrient and sediment pollution from entering the Bay, and a recreational resource for the millions of visitors who contribute millions of dollars to local economies. Chesapeake Bay’s salt marshes host globally significant populations of both Saltmarsh Sparrow and Black Rail.

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $90m per year.

HR 2247—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT
Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerned members of the public, and conservation organizations, progress toward ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fish-feeding birds appear to be at the greatest risk.

HR 2247 would authorize up to $50 million in funding for Puget Sound recovery. The PUGET SOUNDS ACT also aligns federal agency expertise and resources, ensuring that federal agencies are coordinated, setting goals, and holding each other accountable will help increase their effectiveness and provide a boost to Puget Sound recovery.

HR 3797—RESILIENCE REVOLVING LOAN FUND ACT OF 2019
Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds dependent on shoreline and riverine areas. These changes have led to more frequent instances of “nuisance flooding,” as well as catastrophic events such that “nuisance” or “sunny day” flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flooding events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and upper Great Plains, where the amount of precipitation in large rainfall events has increased more than used observed from 1901-1966. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3797 would amend the 1988 Stafford Act to offer low-interest loans to states for “disaster mitigation projects”, including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,
JULIE HILL-GABRIEL, Vice President, Water Conservation, National Audubon Society.
Chairman, House Transportation & Infrastructure Committee, Washington, DC.

Mr. MITCHELL. Mr. Speaker, I rise in support of H.R. 1620, the Chesapeake Bay Program Reauthorization Act. This bipartisan bill will reauthorize this critical program for the restoration of the Chesapeake Bay through 2024. Lawmakers fund this program every year until fiscal year 2024 and grows by $500,000 each year. H.R. 1620 reauthorizes an important conservation and restoration program that safeguards the Chesapeake Bay watershed and the water quality is on the decline. H.R. 1620 represents good governance, and, frankly, the Nation.

The Chesapeake Bay is one of our Nation’s greatest national treasures. It provides a steady annual increase in funding to conserve and restore the Great Lakes, the largest bodies of fresh water in the world by incremental increases of $25 million annually until fiscal year 2026. Congress’s current commitment under this agreement is $25 million annually. H.R. 1620 represents good governance to reauthorize the Chesapeake Bay Program and passed out of the committee with strong bipartisan support. I want to thank my friends and colleagues on both sides of the aisle, Congressman BOBBY SCOTT, Congressman ROB WITTMAN, and Congressman JOHN SARBANES for working with me to achieve this bipartisan victory for the Bay.

The EPA’s Chesapeake Bay Program supports the work of States in meeting their commitments under this agreement. Funding for the Bay program goes directly to localities to improve local conservation efforts. By passing the Chesapeake Bay Program Reauthorization Act, Congress can reaffirm that all States in the watershed and the EPA must work together to achieve these restoration goals. This includes ensuring that all States have plans in place to comply with the TMDL and all other necessary conservation actions.

I also thank Chairwoman NAPOLITANO and Ranking Member WESTERMAN for their support in bringing this bill to the floor.

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

Mr. MITCHELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I rise in support today of H.R. 1620, the Chesapeake Bay Program Reauthorization Act, that will extend and fund the Environmental Protection Agency’s Chesapeake Bay Program until 2024. I have been proud to hold the mantle of the States within the Chesapeake Bay watershed, Representatives ELAINE LURIA, BOBBY SCOTT, and JOHN SARBANES in introducing this important legislation.

The Chesapeake Bay is, indeed, a national treasure and a centerpiece of the culture and economy of many communities in Virginia and neighboring States.

A clean and healthy Bay is the right thing to do for future generations, but it will also support local economies and provide enormous other economic and quality-of-life benefits.

The commercial seafood industry alone employs 34,000 in Virginia and
Mr. Speaker, I urge everyone to think of what Mr. WITTMAN and our colleagues on the other side of the aisle stated; that this Chesapeake Bay, it is a tremendous resource to our Nation, recreational opportunities, the shipping opportunities in it, never mind the wonderful fish stock.

I urge support of this bipartisan piece of legislation by all Members, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

I am glad that this bill gets bipartisan support from Members of Congress and I intend to support the bill. I urge all my colleagues to support it. I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of H.R. 1620, the Chesapeake Bay Program Reauthorization Act. I commend my colleague and fellow Virginian, Congresswoman ELAINE LURIA, for introducing this bill which will further the Chesapeake Bay’s ongoing restoration. As a co-chair of the bipartisan Chesapeake Bay Task Force, I recognize the critical role that the Environmental Protection Agency (EPA) and it’s Chesapeake Bay Program play in coordinating the multi-state restoration effort. I am proud to be an original cosponsor of this legislation.

Deterioration of the Bay and how to best address the problem has been a concern for almost half a century. While serving as a member of the Virginia House of Delegates, I was part of a joint Virginia-Maryland legislative advisory commission focused on determining what actions were necessary to address Bay issues. We concluded that restoring the Bay would require more than just Virginia and Maryland, but rather, the collaboration of the states and the federal government to restore the Bay. Re-authorization of the critical Chesapeake Bay Program is overdue. Increases in underwater grasses and the blue crab population indicate our efforts are working, however more resources and continued coordination efforts are necessary to ensure that these gains are maintained and that the Chesapeake Bay is protected. The Total Maximum Daily Load, sometimes referred to as a “pollution diet,” was established in 2010 and is a key part of the EPA’s Chesapeake Bay Program and the EPA’s role in establishing and enforcing those limits are an essential part of the ongoing restoration process.

The Chesapeake Bay is a national commercial, recreational, ecological treasure and we have a moral responsibility to preserve it. I commend the Committee on Transportation and Infrastructure for reporting this bill favorably to the full House and I urge my colleagues to support this focus on the Chesapeake Bay.

The SPEAKER pro tempore. The motion to reconsider was laid on the table.

GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4031) to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4031

This Act may be cited as the “Great Lakes Restoration Initiative Act of 2019” or the “GLRI Act of 2019.”

SEC. 2. GREAT LAKES RESTORATION INITIATIVE REAUTHORIZATION.

Section 118(c)(7)(D)(I) of the Federal Water Pollution Control Act (33 U.S.C. 1251(c)(7)(D)(I)) is amended—

(1) by striking “is authorized” and inserting “are authorized”;

(2) by striking the period at the end and inserting a semicolon;

(3) by striking “this paragraph $300,000,000” and inserting the following: “this paragraph—

(1) $300,000,000; and

(4) by adding at the end the following:

(II) $755,000,000 for fiscal year 2022;

(III) $600,000,000 for fiscal year 2023;

(IV) $425,000,000 for fiscal year 2024;

(V) $450,000,000 for fiscal year 2025; and

(VI) $475,000,000 for fiscal year 2026.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from Michigan (Mr. MITCHELL) each will control 20 minutes. The Chair recognizes the gentlewoman from California.

GENTLE LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4031.

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

There was no objection.

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


Introduced by the gentleman from Ohio (Mr. JOYCE), H.R. 4031 authorizes total appropriations of approximately $2.5 billion over the next 5 years for restoration efforts, fiscal year 2021 through 2026, under the Great Lakes Restoration Initiative program.

The wide support for this bipartisan program is evidenced by the diversity of cosponsors of the bill, including many of the committee members, such as Mr. GIBBS, Mr. CARSON, Mr. KTZ, Mr. MITCHELL, Mr. GALLAGHER, and Mr. STAUBEER.

The Great Lakes region encompasses eight different States and is home to more than 30 million people. These
waters are a national treasure and contain 84 percent of the fresh water of all North America. As a Representative of a State where the availability of water is always, always an issue, I recognize why the Great Lakes Members are so devoted to protecting the water supply. So are we. Congress needs to renew its commitment to these types of programs which protect and restore our Nation’s water.

We all know the current challenges facing our water resource, including harmful algal blooms. Many of our States are dealing with these challenges as we speak, and the Great Lakes are no exception. One such bloom in 2014 forced a drinking water ban that affected half a million people.

The Great Lakes Restoration Initiative has been a critical tool for EPA and Great Lakes States to address ongoing challenges on local water quality, including algal blooms. So H.R. 4031 is necessary to support these efforts.

I urge all Members to support this very bipartisan bill to continue efforts for rehab on our precious Great Lakes.

Mr. Speaker, I include in the RECORD the letter from: Backcountry Hunters & Anglers, the National Audubon Society, and Healing Our Waters Great Lakes Coalition.

BACKCOUNTRY HUNTERS & ANGLERS, Missoula, MT, September 18, 2019.
Hon. Peter DeFazio, Chairman, House Transportation & Infrastructure Committee, Washington, DC.
Hon. Sam Graves, Ranking Member, House Transportation & Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN DEFAZIO AND RANKING MEMBER GRAVES: On behalf of Backcountry Hunters & Anglers (BHA), the fastest growing organization that represents sportmen and women in North America, I encourage you to support House Transportation & Infrastructure Appropriations bills and floor passage of H.R. 4031. These appropriations for the Chesapeake Bay Program Reauthorization Act (H.R. 1620) and Rep. David Joyce’s (R–OH) Great Lakes Restoration Initiative Act (H.R. 4031) are necessary to support this critical program’s work.

Over the last decade the health of the Bay’s ecosystem has improved. However, with increased rainfall in the region and the amount of sediment, phosphorous, debris and nitrogen eroding into the Chesapeake watershed, the water quality is on the decline.

H.R. 1620 reauthorizes an important conservation and restoration program that safeguards the Chesapeake Bay watershed and increases the funding level to $90 million for fiscal years 2020 and 2021, and grows by $500,000 each year until fiscal year 2024. Lawmakers fund the Chesapeake Bay Program at $73 million annually for the past few years. The addition of H.R. 1620 will restore the health of the Bay and boost the regional economy that depends on it for agricultural and outdoor recreation opportunities.

The second bill, H.R. 4031 reauthorizes funding to conserve and restore the Great Lakes, the largest bodies of fresh water in the world by incremental increases of $25 million annually from fiscal years 2020 to 2024. The Great Lakes Restoration Initiative is a successful program that strategically targets critical areas through multiple action plans and projects. Increasing funding will further expand fish and habitat rehabilitation and implement collaborative projects between federal, state and local stakeholders.

The Chesapeake Bay and Great Lakes programs provide necessary federal investments that leverage state and local funds to improve water quality and fish and wildlife habitat for Canada geese, speckled trout and other game species. BHA believes H.R. 1620 and H.R. 4031 are essential to the health of fish and wildlife and the general public who depend on clean water for agriculture and municipal needs.

Thank you for the opportunity to express our support for the Chesapeake Bay Program Reauthorization Act and the Great Lakes Restoration Initiative Act. We look forward to working with you to advance the legislation through the House.

Sincerely,
JOHN W. GALE, Conservation Director, Backcountry Hunters & Anglers.

AUDUBON, NATIONAL AND INTERNATIONAL PROGRAMS, September 18, 2019.
Hon. Peter DeFazio, Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. Sam Graves, Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. Grace Napolitano, Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. Bruce Woodcock, Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

On behalf of The National Audubon Society’s more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills related to important water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

H.R. 4031—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

The Great Lakes are home to 30 million people and 356 species of birds, but increasing challenges are threatening the world’s largest body of freshwater. Fluctuating water levels exacerbated by climate change, invasive species and excess nutrients are putting even more stress on this ecosystem that is so important for birds and people. The Great Lakes Restoration Initiative has helped clean up toxic pollutants, protect wildlife by restoring critical habitat, and help combat devastating invasive species.

H.R. 4031 would increase funding for conservation projects to $475 million over five years, by increasing the Great Lakes Restoration Initiative’s authorization incrementally from $300 million per year to $475 million per year.

HR 1132—SAN FRANCISCO BAY RESTORATION ACT

The San Francisco Bay Area, home to the Pacific Coast’s largest estuary, is also home to a rapidly growing population of 8 million people, and provides for a host of social and economic values through ports and industry, agriculture, fisheries, archaeological and cultural sites, recreation, and research. However, San Francisco Bay has lost 90% of its tidal wetlands and more than 50% of its eelgrass and mudflat habitat. Climate change-driven drought that alters the salinity balance, ocean acidification that reduces species abundance and diversity, increasing water temperature, and other climate-driven effects eliminating Shoreline and putting communities at risk. Many species of waterbirds forage in the San Francisco Bay, including Brant Geese and Surf Scoters, underscoring the value of this ecosystem.

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $200 million per year to support the restoration of this estuary.

HR 1620—CHESPEAKE BAY PROGRAM REAUTHORIZATION ACT

Salt marshes are special places to birds and other wildlife, but sea level rise has elevated the waters in the Chesapeake Bay by one foot during the 20th century and is accelerating due to climate change. Salt marshes provide valuable “ecosystem services”, including nurseries for the Chesapeake Bay’s commercially important fish, protecting coastal communities against storm surge, a filter that stops nutrient and sediment pollution from entering the Bay, and a critical, catastrophic flooding events have contributed millions of dollars to local economies. Chesapeake Bay’s salt marshes host globally significant populations of both Saltmarsh Sparrow and Black Rail.

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $50 million per year.

H.R. 2297—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

Despite significant investments in Puget Sound’s ecosystem health, federal, tribal, and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery remains significant in the last 30 years and migratory, fish-eating birds appear to be at the greatest risk.

HR 2297 would authorize up to $10 million in funding for Puget Sound recovery. The PUGET SOS Act also aligns federal agency expertise and resources, ensuring that federal agencies are coordinated, setting goals, and holding each other accountable will help increase their effectiveness and provide a boost to Puget Sound recovery.

H.R. 3759—RESILIENCE REVOLVING LOAN FUND ACT OF 2019

Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds species dependent on shoreline and riverine areas. These changes have led to more frequent instances of “nuisance flooding” as well as catastrophic events. NOAA has found that “nuisance” or “sunny day” flooding is up 300% to 900% than it was 50 years ago. In addition, increased precipitation in large rainfall events has increased more than 30 percent above the average observed from 1901–1960. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3779 would amend the 1988 Stafford Act to offer low-interest loans to states for “disaster mitigation projects”, including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,
JULIE HILL-GABRIEL, Vice President, Water Conservation, National Audubon Society.
HON. NANCY PELOSI, Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI: On behalf of the Healing Our Waters-Great Lakes Coalition, I write to urge the House of Representatives to bring the floor to consideration for H.R. 4031, the Great Lakes Restoration Initiative Act of 2019, before the end of the year. The bill, which is led by Reps. David Joyce and Marcy Kaptur, has broad bipartisan support with 50 cosponsors almost equally divided and was unanimously supported in the Transportation & Infrastructure Committee in September. The Great Lakes define our region’s way of life, provide drinking water for over 30 million Americans, and is at the heart of a binational economy that is the 3rd largest in the world. The Great Lakes Restoration Initiative has been restoring these waters and protecting the health and well-being of those that rely on them.

H.R. 4031 reauthorizes the successful Great Lakes Restoration Initiative and helps meet the on-the-ground needs of communities by increasing the annual authorization over five years to $475 million. Over the past decade the GLRI has improved lives across Great Lakes communities after decades of environmental degradation and public health impacts, the regional economy, and drinking water. The GLRI has allowed the 8-state region to undertake one of the world’s largest freshwater ecosystem restoration projects. Since its inception, the initiative has resulted in economic returns of more than 3 to 1 across the region and made tremendous progress. For example:

- Tripled the delisting of areas with extreme degradation (Areas of Concern or AOCs)
- Increased the remediation of environmental and public health impairments near sevenfold
- Doubled farmland acres under conservation, reducing nutrient and sediment runoff
- Invested in critical research and forecasting of toxic algal blooms
- Controlled and stopped the advance of invasive species
- Restored habitat connectivity to over 5,250 river miles
- Even with these results, there is still much work to be done. Two-thirds of beneficial use impairments are unresolved across 19 AOCs, placing the health of communities at risk. Drinking water and coastal economies remain under threat from toxic algal blooms that impact public health systems.
- The Great Lakes have an incredible capacity to reduce stormwater runoff and improve the health of the Great Lakes and the surrounding region.

I hail from Chicago and the Nation’s gold coast along Lake Michigan. We know how important a healthy Great Lakes ecosystem is. Lake Michigan is not only Chicago’s primary drinking water source, it is part of the largest freshwater source in the world, our beloved Great Lakes. Lake Michigan is a tremendous recreational resource and economic asset for Chicago and the State of Illinois.

Longstanding concerns, like the potential of Asian carp migrating into the lake, underscore the importance of addressing this issue for all of us.

This bill will support many projects important to the region. Chicago public schools, for example, were able to install green infrastructure and new community space at four elementary schools. The project added 1.2 million gallons of onsite stormwater storage capacity to reduce stormwater runoff throughout Chicago.

In Beach Park, Illinois, a project helped stabilize and protect streambanks. This is, in turn, reduced nutrient pollution, sediment runoff, and increased water quality in both Bull Creek and Lake Michigan.

This bill will provide a much-needed increase in funding for the Great Lakes Restoration Initiative to support the continued restoration of coastal wetlands, the preservation of water quality, and the control of invasive species. H.R. 4031 will protect the Great Lakes for future generations. I urge my colleagues to support this legislation. I thank Chairwoman NAPOLITANO and Representative JOYCE for advancing this important measure.

Sincerely,

LAURA RUBIN, Director.

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

I rise in support of H.R. 4031. H.R. 4031 is a critical bill to reauthorize the Great Lakes Restoration Initiative, an initiative near and dear to my heart and the Great Lakes Coalition.

The Great Lakes, as was noted, is the largest system of fresh surface water in the world. The GLRI, as it is known, has been a catalyst for unprecedented partnership between Federal, State, and local agencies for years to improve the ecosystem, to improve water quality, and to support the economy of the entire Great Lakes region and the Nation.

H.R. 4031 has broad and bipartisan support with nearly 50 cosponsors, and I am proud to be one of those cosponsors. I thank our Members for continuing support for the restoration of our Great Lakes. This issue is very important to my district and many other Members’ districts in our Congress here.

The Great Lakes have an incredible impact on our region’s way of life that cannot be overstated. At one point in time when I was younger, we actually had a license plate that called Michigan the Water Wonderland because of the importance of the Great Lakes on our State.

States all along the Great Lakes rely on them as a freshwater resource, a driver of our local and national economy, and a world-renowned recreation destination. It impacts from Minnesota all the way to New York.

In my home State of Michigan, we have the most Great Lakes shoreline of any State and more than 3,000 miles of our State shaped by four of the five Great Lakes. My district is nearly surrounded by the Great Lakes system.

The projects that the GLRI makes possible have a proven track record of success and impact in our communities.

Take the Marysville shoreline in Michigan’s 10th District, my home district, as an example. The GLRI provided the funds to remove a failing seawall and replace it with a natural, sloping shore.

Additionally, further south of my district, the restoration of wetlands in the Harsens Island area provided habitat for waterfowl and fish that had been destroyed over the years.

These projects resulted in the creation of jobs in the region, habitat restoration for wildlife, and a pathway for people to walk along the river or the lake, to view and enjoy it. This is one of the reasons why highlights the importance of the GLRI for Great Lakes communities like mine and throughout the region.

GLRI investments have delivered great outcomes, but there is more work to be done to protect our Great Lakes, including stopping the spread of invasive species, like Asian carp; protecting our drinking water, a critical and urgent need; and restoring habitat loss.

I have advocated for GLRI since I arrived here and recently spoke with the President about the importance of the Great Lakes Restoration Initiative. It is crucial that Congress continues to authorize this program that protects and restores the Great Lakes. It, like many other estuaries we have talked about today, is a national treasure that our country relies on for drinking water, commerce, and more.

Mr. Speaker, H.R. 4031 offers a chance to continue this support. I urge all of my colleagues to support this bill, and I reserve the balance of my time.
Mr. MITCHELL. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding. I rise today in support of my bill, the Great Lakes Restoration Initiative Act of 2019.

First, I thank Congresswoman MARCY KAPTUR and the 48 other Members from both sides of the aisle who cosponsored this important legislation. These Members are from the eight Great Lakes States, and they have been instrumental in advancing this bill to the House floor.

I also thank my colleagues on the Transportation and Infrastructure Committee who unanimously supported the GLRI Act of 2019 during its markup back in September.

I cherish my memories growing up on the shores of Lake Erie, fishing and swimming with my family and friends. Everyone in this Chamber knows that I am not shy about my commitment to protect and restore the Great Lakes, for both current and future generations of Americans.

The Great Lakes are a key economic driver for our Nation. More than 5 million jobs are directly connected to the lakes, generating $62 billion in wages annually. That is not to mention the fact that the Great Lakes Basin is home to more than 30 million people and that the lakes hold roughly 21 percent of the entire world’s freshwater supply.

That is why I was proud to introduce this bill to authorize this critically important Great Lakes Restoration Initiative for an additional 5 years and increase the program’s annual authorized funding level, ensuring communities across the Great Lakes region, including those in my own district of north-central Ohio, can continue to address their on-the-ground needs.

The Great Lakes Restoration Initiative, also known as GLRI, EPA coordinates its efforts with other Federal partners like the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers, as well as State agencies, local communities, and nonprofit organizations.

GLRI projects have led to significant environmental benefits in the Great Lakes region since the program was created, helping restore more than 50,000 acres of coastal wetlands and reduce nutrient runoff that leads to harmful algal blooms like the one that shut down Toledo’s water system in 2014, impacting hundreds of thousands of Ohioans.

The program also provides for a wide range of economic benefits, like protecting the $7 billion Great Lakes fishery from invasive species like the Asian carp.

In fact, a recent study showed that every $1 spent on GLRI projects through 2016 produces more than $3 in additional economic activity in the region. This means jobs and economic development in waterfront communities like Mentor, Ashtabula, and Conneaut, Ohio.

Simply put, without the GLRI, critical environmental restoration activities and strong economic growth would never have happened. The bill is a great example of the progress we can make when we work together to address the issues facing our communities.

While we have made progress in our efforts to address nearshore health, invasive species, toxic substances, and wildfires that, much more work remains to be done to protect the Great Lakes. That is why I urge my colleagues to join me in supporting H.R. 4031, working across party lines to protect the invaluable natural resource and economic powerhouse that is the Great Lakes system.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS of New York. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise to strongly support this bill, which would increase funding to the Great Lakes Restoration Initiative to $475 million by the year 2026.

This funding is essential to the health of the Great Lakes. We have made incredible progress to restore plant and animal habitats, control invasive species, combat harmful algal blooms, improve water quality, and clean up the environment of this region.

The revitalization of the Buffalo River in my district, which was once declared ecologically dead, environmentally destroyed, is now a destination for nature and recreation and is one of the great success stories of this program.

It has yielded impressive economic benefits. Every $1 in funding generates $3.35 in economic activity. In Buffalo, the number is greater than $1.

Attacks on clean water now threaten the progress that we have already made, and there is still much work left to be done. I urge my colleagues to join me in enthusiastically supporting this bill.

Mr. MITCHELL. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, no question, the Great Lakes are an important environmental and economic resource of the United States—$200 billion in economic activity. So many communities rely on the Great Lakes for drinking water, jobs, recreation, and more.

While the Great Lakes may have had a troubled environmental history, recent restoration and protection efforts have been successful.

The GLRI has been the major factor in these efforts, funding projects that will ultimately leave the Great Lakes in a better condition for future generations to enjoy.

Several years ago, when I was chair of the subcommittee with jurisdiction, we had some concerns, so in our oversight responsibility and to protect taxpayer dollars, I requested the GAO do a study of this program, and it came back with an excellent return. That is why I am so encouraged to see some of these returns about what is going on. Also, it is important that that study gave us some helpful ideas to improve the program. We are seeing that today, and the program is working very well.

I feel good that we did that study, and we know what is going on. We know the taxpayer dollars are protected, and we did our oversight role.

Ohio is home to many important projects funded by the Great Lakes Restoration Initiative: State commissions to reduce phosphorus, Asian carp prevention, and various habitat restoration projects. The GLRI remains an essential element in repairing and preserving our Great Lakes.

I thank my colleague from Ohio (Mr. JOYCE) for sponsoring this bill. I urge my colleagues to support passage of H.R. 4031.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I thank the gentlewoman for yielding.

I am so very pleased to rise in support of this bipartisan legislation to reauthorize and strengthen the Great Lakes Restoration Initiative, the GLRI.

Twenty percent of the world’s freshwater resides in the Great Lakes. It is a national treasure and a regional economic engine.

I remember when I was first elected in 2004. On election night, I was so excited because I said now I get to represent Lake Michigan. It is one of my favorite constituents.

Since one decade of existence, the GLRI has not only generated environmental benefits, but it is helping to generate economic development as waterways that were once polluted, unsafe, and off-limits to the public have become attractive to not only recreational users but to businesses that are able to open their doors to the public.

GLRI investments have been used in over 4,000 projects across almost 300,000 square miles of the Great Lakes Basin. It is truly a win-win.

Mr. Speaker, this bill takes the next step to support the ongoing efforts and partnerships that are making this program so successful in Great Lakes communities.

While I don’t have much time, I want to highlight a couple of efforts that my constituents who are hard at work to make use of the funds that protect Lake Michigan. Here is one story of a small business owner.

Beth Handle is the owner and operator of Milwaukee Kayak Company, located right on the Milwaukee River in downtown Milwaukee. She came to my
Ms. MOORE. Mr. Speaker, cleaning up the river changed the river from a place that people didn’t want to go, and now it is where families go to paddle board, swim, and explore the river and our city. Of course, Milwaukee is A Great Place on a Great Lake.

The Milwaukee Water Commons, while not directly funded by the GLRI, has been working with grantees and others to make sure that communities that have been historically disengaged are in those conversations.

Our Metropolitan Sewerage District is using it to clean up the Milwaukee Estuary, where there is a gathering of three rivers: the Kinnickinnic, the Milwaukee, and the Menomonee Rivers. This estuary is one of 30 areas of pollution in the Great Lakes. The GLRI would fund 65 percent of these projects.

Mr. Speaker, I urge passage of this bill, and I am so delighted that we are debating it here on the floor in this bipartisan manner.

Mr. Speaker, I thank the gentlewoman for yielding.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mrs. WALORSKI), my colleague.

Mrs. WALORSKI. Mr. Speaker, I rise in support of H.R. 4031, the Great Lakes Restoration Initiative Act.

GLRI is a vital program that coordinates Federal efforts among 15 agencies to address the most significant challenges facing the Great Lakes.

The Great Lakes are among our most precious natural resources and a key economic driver in my home State of Indiana. For instance, the recreational boating industry alone provides $2 billion to Indiana’s economy each year. Yet the environmental and economic health of our region is under threat from a host of issues facing the Great Lakes, including pollution, severe erosion, loss of native habitat, invasive species, and harmful algal blooms.

GLRI is a critical investment in preserving and protecting the Great Lakes as well as creating jobs and growing our economy. That is why I am proud to be an original cosponsor of H.R. 4031, which would reauthorize the program funding through fiscal year 2026.

Protecting and improving the Great Lakes means making sure current and future generations can experience the natural beauty and the recreational activities like fishing, boating, and hiking that have been so important to our part of the Midwest.

Mr. Speaker, I want to thank Representatives JOYCE and KAPTUR for their hard work on this bipartisan legislation. I also want to thank my fellow Hoosier, Congressman PETE VISCLOSKY, for his decades of service and his leadership in making the Indiana Dunes National Park.

Mr. Speaker, I urge my colleagues to support the Great Lakes by voting for H.R. 4031.

Mrs. NAPOLITANO. Mr. Speaker, I urge the SPEAKER pro tempore. The gentlewoman from California has 12 minutes remaining.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the distinguished chairwoman of the Water Resources and Environment Subcommittee for yielding me this time, and I thank her for her unyielding support for water issues across the full breadth of our very critical Great Lakes region. She has been a true and unyielding champion on these issues, and I thank her.

Today’s package of bills includes key priorities for protecting not just our Great Lakes, but ecosystems across our country. The Great Lakes Restoration Initiative Act of 2019, enjoys broad support from the Great Lakes region. The 49 cosponsors of the bill represent every ideological perspective of our caucus, and today’s bill, which is on suspension, is a testament of that bipartisan, bicameral critical support.

In that vein, Mr. Speaker, I must commend my colleague from Ohio, Congressman DAVID JOYCE, for his steadfast effort to work collaboratively to collect signatures for H.R. 4031 so we could move it from 2019 to 2020. This Great Lakes Act recognizes the enormous, unmet need for the region. The interagency collaborative effort has brought to bear resources, expertise, and stakeholders from across the local, State, and Federal portions of the region and helped to focus resources on a major hot spot.

The Maumee River is the largest river that flows into the entire Great Lakes and is also facing gigantic harmful algal blooms. The Maumee River dumps all of these nutrients into Lake Erie, which then feeds the most productive part of the lake, endangering, among other native species and creating massive harmful algal blooms with the critical ingredient of microcystin, which is toxic.

Annually, the harmful algal blooms threaten Toledo’s drinking water system, which had to be shut down 3 years in a row. It is shocking to think of the safety of our beaches and longevity of our ecosystem.

This Great Lakes Restoration Initiative is assisting communities to address the root causes of the blooms. Since 2010, over 4,000 projects have been completed across the basin, the largest watershed in the entire Great Lakes, and a recent University of Michigan study revealed that each dollar spent on the Great Lakes Restoration Initiative will result in $3.35 million in additional economic activity.

The long-term goals of the initiative are delisting the areas of concern, ensuring that fish are safe to eat and that we can manage and control of numerous environmental problems across our lakes, the largest source of freshwater on our continent.

Today’s legislation offers a ramp-up back to the level for the restoration initiative initially envisioned when the program was first funded in fiscal year 2010. So it is pretty new as Federal programs go. This gradual ramp-up represents a consensus across the delegation.

Mr. Speaker, I urge my colleagues to support this important legislation on final passage.

Again, I want to thank Chairwoman GRACE NAPOLITANO for her work across both sides of the aisle and with Members of this House from every region of the country.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA), my colleague and the co-chair of the Great Lakes Task Force.

Mr. HUIZENGA. Mr. Speaker, I rise today in support of continued preservation and restoration of the Great Lakes through the Great Lakes Restoration Initiative, a very important initiative for the Great Lakes region.

For Michiganders, the Great Lakes are directly linked to our identity, our way of life, our history, and our future. The Great Lakes basin is home to more than 30 million people, and it contains 90 percent of the Nation’s fresh surface water supply. Many know that, but they don’t always understand the economic impact. That provides the backbone of a $6 trillion regional economy.

The Great Lakes Restoration Initiative has a strong track record of success, specifically in west Michigan, where the work to clean up toxic hotspots in areas like Muskegon is estimated to have increased property values by nearly $12 million and generated $1 million in new recreational spending. This holds true across west Michigan and the entire region, as every dollar invested in the GLRI generates more than $3 in additional long-term economic activity.

The GLRI is critical to our efforts to protect drinking water, prevent the spread of invasive species, and to accelerate the cleanup of areas of concern.

With the threat of Asian carp inundating our waters, high water levels and the threat of PFAS contamination contaminating our water, we must be committed to bipartisan solutions to protect this critical resource.

Recently, my Republican colleagues and I had an opportunity to spend some time with the President, and he recommitted his support for the GLRI and
towards the Great Lakes, as well as making sure that Brandon Road and other efforts to keep invasive species out are happening.

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

Mr. MITCHELL. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Michigan.

Mr. HUIZENGA. Mr. Speaker, the GLRI is a bipartisan example of an effective and efficient use of taxpayer dollars that protects, preserves, and strengthens the Great Lakes today and for future generations.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Mrs. DINGELL. Mr. Speaker, I thank the chairwoman from California for yielding and for all of her hard work on this bill.

I rise in strong support of H.R. 4031, the Great Lakes Restoration Initiative—or the GLRI, as we all call it—Act of 2019, which will reauthorize the GLRI for 5 years and increase authorized funding for the program to $475 million each fiscal year.

Through the GLRI program, we have been able to clean up and delist environmental areas of concern. We have been able to restore coastal wetlands, as many of my colleagues have talked about, mitigate harmful algae blooms, combat invasive species, and do much more to help protect, restore, and maintain the Great Lakes ecosystems and strengthen our regional economy.

And, as people have seen on the floor today, this issue has shared strong bipartisan support at all times.

Mr. Speaker, I thank my colleagues for helping to educate the President on the importance of the GLRI.

The Great Lakes are not only a treasured natural resource, but a way of life that supports communities and jobs throughout the region. They are 21 percent of the world’s freshwater supply.

Building on what my colleague from Wisconsin (Ms. MOORE) was talking about, my colleague, Ms. TLAIB, and I were able to kayak on the Rouge River on the 50th anniversary of its having caught on fire. We were surrounded by industry, but we also saw bald eagles and herons, and she got the most beautiful picture of a painted turtle.

Mr. Speaker, as co-chair of the Great Lakes Task Force, I am proud to be an original cosponsor, and I thank my colleagues, Representatives DAVID JOYCE and Melanie KUYKENDALL, for their great leadership on this issue.

Mr. Speaker, I urge all of my colleagues to support this important bill to ensure our Great Lakes are protected and preserved generations.

Mr. MITCHELL. Mr. Speaker, may I inquire of the balance of time on both sides, please.

The SPEAKER pro tempore. The gentleman from Michigan has 9 1/2 minutes remaining. The gentlewoman from California has 6 1/2 minutes remaining.

Mr. MITCHELL. Mr. Speaker, I yield 1 1/2 minutes to the gentleman from Michigan (Mr. WALBERG), another colleague.

Mr. WALBERG. Mr. Speaker, I rise today in strong support of H.R. 4031, the Great Lakes Restoration Initiative Act of 2019, not just because my district has 30 miles of its borders, but because of the impact of such a great proposal that has had bipartisan support and, now, thankfully, even as recently as just this last week, to talk with the President with my colleagues and know of his support as well.

The Great Lakes are something that we all treasure in Michigan, and they are central to our State’s economy and way of life. As stewards of this natural resource, it is incumbent on us to take care of them so that future generations can enjoy their beauty, their bounty, and their economic benefits. That is why the bipartisan support for GLRI is so overwhelming.

For the past decade, the GLRI has been the driving force behind cleaning up and protecting the Great Lakes. Funds from this successful program go towards restoring wetlands, combating harmful algae blooms, stopping invasive species, and much, much more. With additional resources, we can accelerate and expand GLRI’s impact even more for the citizens of not only our States, but of this great country.

I am proud to join my colleagues in this bipartisan effort to preserve the Great Lakes and continue it long into the future as beneficial for all who experience the greatness of what it is.

Let’s pass this critical legislation.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise today in strong support of the Great Lakes Restoration Initiative Act’s reauthorization.

As has been said before, I think, the Great Lakes represent 21 percent of the world’s surface freshwater.

I am glad to see so many of my colleagues from the Great Lakes region here, but, really, all of us and the rest of the world have a stake in this.

The Great Lakes provide drinking water for 45 million Americans.

The lakes support one of the world’s largest regional economies through agriculture, industry, fishing, and recreation.

For thousands of plants and animal species and millions of Americans, the Great Lakes are vital for life, and are our national treasure.

I wanted to say, this is really personal for me. The eastern border of my district, running from Chicago to the northern suburbs, is Lake Michigan. I live just a few hundred yards from its shores. I have enjoyed the lake waters.

I lived just a few hundred yards from the lake myself and have spent every summer of my childhood on the beach in Indiana enjoying the lake.

Mr. Speaker, I rise in support of H.R. 4031, the Great Lakes Restoration Initiative Act of 2019.

First, I want to thank my good friends from Ohio, Mr. JOYCE and Ms. KAPFER, for their leadership on this legislation. The Great Lakes are an essential natural resource, not only for my district and State, but for the entire country.

One of the world’s largest bodies of fresh water, the Great Lakes provide fresh drinking water for over 30 million people. In addition, the Great Lakes serves as an economic engine, generating $8.4 billion in wages, and supporting over 300,000 jobs.

But the Great Lakes are more than a source of revenue. Ask any of my constituents what the Great Lakes mean to them, and they will tell you they are an essential part of what makes Northeast Ohio such a great place to live, work, and raise a family.

Over the past decade, both Democrats and Republicans have understood the importance of protecting the Great Lakes. Since 2010, the GLRI has catalyzed critical restoration action that both restores and protects the Great Lakes. In fact, for every dollar spent under the GLRI, an estimated $3.35 in economic activity is produced.

I strongly urge my colleagues to support H.R. 4031 and ensure the preservation of our waterways and ecosystems for future generations.
Mrs. NAPOLITANO. Mr. Speaker, I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, it is an honor to be here to speak on this initiative, given what is going on in the other house today where we have so much bipartisanship. This is the type of bipartisan work we should be doing.

I am honored to be a cosponsor of the Great Lakes Restoration Initiative. My district goes along Lake Michigan. I know it means so much for the communities of Port Washington, Sheboygan, Manitowoc and Two Rivers.

I would just like to clean up a little something here. I know a few years ago in 2013, there was a great deal of concern that the watermark in Lake Michigan was at an all-time low. People talked about climate change and how bad that was. It was good to report now in January on the 30-year high on Lake Michigan. So maybe that is the reason for a crisis as well, but it is interesting to see how things kind of ebb and flow on Lake Michigan.

As previously has been said, about a fifth of the water in lakes and rivers of the world is in Lake Michigan by itself. Lake Michigan is the fifth biggest lake in the world. We have had problems with invasive species, which is one of the major reasons why I am on this bill.

We want to keep the lakes clean not only for consuming water, but the fisheries, the fishing going on there is important, and recreation on Lake Michigan is important.

A lot of this money goes into the agriculture in places like Wisconsin. We do have to keep the lakes clean, and as we keep our farms clean, it results in less algae blooms and a healthier lake system.

So, in any event, I am honored to be a cosponsor on this. I am pleased that myself the balance of my time.

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

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

Mr. Speaker, I include in the RECORD a letter in support of H.R. 4275 to reauthorize the Lake Pontchartrain Basin Restoration Program from the Lake Pontchartrain Basin Foundation.

Re H.R. 4275: Support to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program.

Hon. Nancy Pelosi, Speaker, House of Representatives, Washington, DC.

Hon. Kevin McCarthy, Minority Leader, House of Representatives, Washington, DC.

Dear Speaker Pelosi & Minority Leader McCarthy: I would like to express our support for H.R. 4275—the reauthorization of the Pontchartrain Basin Restoration Program within the Environmental Protection Agency. This program provides resources vital to the restoration of the ecological health of the Basin, as well as public education projects.

Although Lake Pontchartrain and its surrounding area continue to face environmental challenges, the Lake and its resources have made a tremendous comeback. Much of this success is due to interested and concerned citizens who want a clean, healthy Lake and Basin for this and future generations, all of which would not be possible without your support of this PRP funding.

Sincerely,

Kristi L. Trail, P.E., Executive Director.

Mrs. NAPOLITANO. Mr. Speaker, H.R. 4275 will reauthorize EPA’s Lake Pontchartrain Basin Restoration Program for the next 5 years.

Introduced by the gentlemen from Louisiana, Mr. GRAVES and Mr. RICHMOND, it reauthorizes the program for the next 5 years with continued funding of $20 million annually over 5 years. It also caps EPA’s administrative expenses at 5 percent.

At our June subcommittee hearing, we received testimony on current threats to the Lake Pontchartrain region and its watershed. Covering a 10,000-square-mile area, the basin faces...
impacts from logging, urban, and agriculture runoff, sewage overflows and nonpoint source pollution.

This is an example of human development having an extreme impact on the entire watershed, capable of causing entire dead zones as we are now seeing. With humans no longer prevented from acting as natural filters for these pollutants, the entire lake is at risk.

This program represents a collaborative effort for Federal, State, and local entities to restore the ecological health of this tremendous resource.

Mr. Speaker, I urge my colleagues to support H.R. 4275, and I reserve the balance of my time.

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

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume to close, Mr. Speaker, and I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I urge adoption of this bipartisan legislation that we have introduced with my friend, Congressman CEDRIC RICHMOND of New Orleans.

Mr. Speaker, I urge its adoption, and I yield back the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I urge adoption, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I urge our colleagues to support H.R. 5214, and I yield back the balance of my time.

Mr. Speaker, I urge my colleagues to support this bipartisan bill, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I urge adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5214

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 “Representative Payee Fraud Prevention Act of 2019”.

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) DEFINITIONS.—

(1) CSRS.—Section 8331 of title 5, United States Code, is amended—

(A) in paragraph (31), by striking “and” at the end; and (B) in paragraph (32), by striking the period at the end and inserting “; and”;

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5214) to amend title 5, United States Code, to prohibit fraud by representative payees.

The Clerk read the title of the bill.

The text of the bill is as follows:

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Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5214) to amend title 5, United States Code, to prohibit fraud by representative payees.
(C) by adding at the end the following: 

""(3) 'representative payee' means a person (including an organization) designated under section 8345(e)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.''.

(2) FERS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (37), by striking "and" at the end;

(B) in paragraph (38), by striking the period at the end and inserting "; and"; and

(C) by adding at the end following:

""(39) 'representative payee' means a person (including an organization) designated under section 8466(c)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.''.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

"§ 8345a. Embezzlement or conversion of payments.

(a) EMBEZZLING AND CONVERSION GENERALLY.—

""(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert or cause to be embezzled or converted all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

(b) RHOCVATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly:

""(A) revoke the certification for payment of benefits to the representative payee; and

""(B) certify payment—

""(i) to another representative payee; or

""(ii) if the interest of the individual under this title would be served thereby, to the individual.

(c) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, subsection (a)(1) shall be fined under title 18, or imprisoned for not more than 5 years, or both.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Section 8401 of title 5, United States Code, is amended by inserting after section 8466 the following:

""§ 8466a. Embezzlement or conversion of payments.

(a) EMBEZZLING AND CONVERSION GENERALLY.—

""(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert or cause to be embezzled or converted all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

(b) RHOCVATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly:

""(A) revoke the certification for payment of benefits to the representative payee; and

""(B) certify payment—

""(i) to another representative payee; or

""(ii) if the interest of the individual under this title would be served thereby, to the individual.

(c) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8406 the following:

""§ 8466a. Embezzlement or conversion of payments.

(a) EMBEZZLING AND CONVERSION GENERALLY.—

""(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert or cause to be embezzled or converted all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

(b) RHOCVATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly:

""(A) revoke the certification for payment of benefits to the representative payee; and

""(B) certify payment—

""(i) to another representative payee; or

""(ii) if the interest of the individual under this title would be served thereby, to the individual.

(c) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.''.

(b) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8435 the following:

""§ 8456. Embezzlement or conversion of payments.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Office of Personnel Management—

(1) shall promulgate regulations to carry out the amendments made by section 2; and

(2) may promulgate additional regulations relating to the administration of the representative payee program.

SEC. 4. EFFECTIVE DATE.

The amendments made by section 2—

(1) shall take effect on the date of the enactment of this Act; and

(2) shall apply on and after the effective date of the regulations promulgated under section 3(b)(1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York. Mr. Speaker, I yield myself such time as I may consume.

The Representative Payee Fraud Prevention Act is a commonsense bipartisan bill that would protect recipients and the federal retirement and Social Security and veterans benefits by a representative payee is a Federal felony. However, there is no Federal penalty for current or former Federal employees who embezzle or convert Federal retirement benefits to their own use.

The Representative Payee Fraud Prevention Act would close this loophole and apply the same penalties to those representative payees who misuse Federal pension benefits. We must ensure that those who have spent their careers in public service receive the benefits they have earned. I want to thank my friend and colleague, Representative TLAIB, for her hard work, along with Representative MEADOWS. It is a bipartisan effort on this important issue.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5214, the Representative Payee Fraud Prevention Act.

Federal employees often dedicate decades of their lives to public service.
When they retire, those Federal employees receive their hard-earned retirement benefits. Currently, the Federal Government issues payments to more than 2 million retirees and more than half a million survivor annuitants each year. Annuitants receive an average of $2,500 a month.

If a Federal annuitant becomes incapacitated in some way, a representative payee may be appointed. A representative payee is a person who receives and manages benefits on behalf of and for another who is not fully capable of managing their own benefits.

Certainly, things like mental illness, disability, or long-term illness are just a few examples of situations where a payee may step in and provide that counsel.

Obviously, as we look at this, a representative payee has a duty to use financial benefits to assist with the care and well-being of the intended beneficiary. Surprisingly, though, it is not a criminal offense for a representative payee to commit financial fraud against an incapacitated Federal retiree. However, under the Social Security Act, it is a crime to do so.

I have always assumed that this type of financial abuse of retired Federal employees was also a crime. But right now, under Federal law, it is not.

As the chairwoman from New York mentioned, this is a commonsense piece of legislation. I would like to thank my colleague, Ms. Tlaib, for her leadership on this.

This bill will make it a crime to embezzle Federal retirement benefits as a representative payee. If convicted, the representative payee could be subject to criminal fines and up to 5 years in prison. Obviously, this is a protection for our Federal workforce.

Mr. Speaker, I urge support of this particular piece of legislation, and I re-
serve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield such time as I may consume to the gentlewoman from Michigan (Ms. Tlaib).

Ms. TLAIB. Mr. Speaker, I would like to begin by thanking Congressman MEADOWS for partnering with me on the bill, as well as our Chairwoman MALONEY and her incredibly strong and talented staff for their leadership and for the continued support of the work that we have to do on behalf of our residents.

I also want to thank our forever chairman, the late Chairman Cummings, who is looking down on us from above, for his mentorship and for working with us on this bill that would help some of our most vulnerable retirees.

We all know that no one deserves to be scammed out of their money, but that is especially true for our retirees. This bill, the Representative Payee Fraud Prevention Act, is a bipartisan effort to protect those retirees who are recipients of Federal benefits.

Retirees who have been declared mentally incompetent or have another qualifying disability can have their monthly benefits paid on their behalf through a representative, frequently referred to as the representative payee.

In recent years, what we have seen in our country is there has been a sharp increase in the number of representative payees who we have seen taking advantage of their position and committed fraud, hurting many of our residents.

We need to hold them accountable, and this bill does that. The bill would expand protection to over 2 million workers all across the United States.

In my home State of Michigan, there are nearly 40,000 Federal retirees who are currently unprotected from this crime, impacting their quality of life. They are supposed to be living in peace during their retirement years. They are becoming targets instead, and we need to push back together, in a bipartisan way.

I hear firsthand from our senior residents their concerns, from feeling neglected in the assisted living facilities to unaffordable drug prices, and I want to ensure that our older Americans have one less worry about financial predators who will misuse their hard-earned money.

For far too long, this lack of Federal protection has left some of our, again, most vulnerable civil servants without legal recourse when they are taken advantage of and their retirement funds are misused. We must ensure that the most impacted communities are protected on every front.

That is what this legislation will do. It will prevent those who have committed by inserting Federal employees from serving as representative payees in the future and hold them accountable to their victims.

Let’s really ensure that our public servants and our civil servants who have dedicated their lives to serving our country are protected against this fraud.

Again, I want to thank my beloved Chairman Cummings for coming to my defense and my colleague, Congressman MEADOWS. When he couldn’t say no to him, so we worked together in the trying to resolve this issue for so many folks, again, 2 million Federal employees across the country who need this protection.

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

Mr. MEADOWS. Mr. Speaker, I cer-

tainly would rise in support of this legis-
lation. I thank the gentlewoman from Michigan for her hard work. Ms. Tlaib has been leading on this.

The gentlewoman is right. Chairman Cummings had an infectious way of bringing people together, and I rise in support of this legislation as a tribute to his hard work and to her leadership.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise passage of H.R. 5214. I thank Elijah Cummings for his hard work on this bill, too, and my colleague, Mr. MEADOWS and Ms. Tlaib, and I yield back the balance of my time.
available as an open Government data asset; and

(ii) at a minimum—

(A) update the information required to be included on the single website under subparagraph (A) on a quarterly basis; and

(B) update the program inventory required under subparagraph (B) on an annual basis.

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking "described under paragraph (1) shall include an iterative assembly of the program inventory required under paragraph (2)b) shall include";

(B) in subparagraph (B), by striking "and"; and

(C) in subparagraph (C), by striking the period at the end inserting "and"; and

(D) add the following: 

"(D) for each program activity that is part of a program—

(i) a description of the purposes of the program activity and the contribution of the program activity to the mission and goals of the agency;

(ii) a consolidated view for the current fiscal year and each of the 2 fiscal years before the current fiscal year of—

(1) the amount appropriated; and

(2) the amount obligated; and

(iii) to the extent practicable and permitted by law, links to any related evaluation, audit, assessment, or program performance review by the Comptroller General, if any, for improving the program activity, or consolidate program activities to provide the most useful information for an inventory of Government programs.

(iv) an identification of the statutes that authorize the program activity or the authority under which the program activity was created or operated;

(v) an identification of any major regulations specific to the program activity;

(vi) any other information that the Director of the Office of Management and Budget determines relevant relating to program activity data in priority areas most relevant to Congress or the public to increase transparency and accountability; and

(vii) for each assistance listing under which Federal financial assistance is provided, fiscal year and cumulative data for the 2 fiscal years before the current fiscal year and consistent with existing law relating to the protection of personally identifiable information—

(I) a linkage to the relevant program activities that fund Federal financial assistance by assistance listing;

(II) to the extent practicable and based on data reported to the agency providing the Federal financial assistance, the results of the Federal financial assistance awards described by the assistance listing;

(IV) to the extent practicable, the percentage of the amount appropriated for the assistance listing that is used for management and administration; and

(V) the identification of each award of Federal financial assistance and, to the extent practicable, the name of each direct or indirect recipient of the award; or the amendment made by section 2 shall make available online all information required under the amendments made by section 2 with respect to all programs, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the implementation of this Act and the amendments made by this Act, which shall—

(1) review how the Director and agencies determined how to aggregate, disaggregate, or consolidate program activities to provide the most useful information for an inventory of Government programs;

(2) evaluate the extent to which the program inventory required under subsection (a) of title 31, United States Code, as amended by this Act, provides useful information for transparency, decision-making, and oversight;

(3) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in priority areas; and

(4) include the recommendations of the Comptroller General, if any, for improving implementation of this Act and the amendments made by this Act.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(a) IN GENERAL.—Section 1122 of title 31, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by inserting "described in subsection (a)(2)(A)" after "the website" each place it appears;

(2) in subsection (c), in the matter preceding paragraph (1), by inserting "described in subsection (a)(2)(A)" after "the website"; and

(3) in subsection (d)—

(A) in the subsection heading, by striking "ON WEBSITE"; and

(B) in the first sentence, by striking "on the website".

(b) OTHER AMENDMENTS.—

Section 1115(a)(5) of title 31, United States Code, is amended in the matter preceding paragraph (1) by striking "the website provided under" and inserting "a website described in".

Section 1120(a)(5) of title 31, United States Code, is amended by striking "the website described under" and inserting "a website described in".

(b) Other provisions of title 31, United States Code, are amended in the matter preceding paragraph (1) by striking "the website described under" and inserting "a website described in".

Section 1120(a)(5) of title 31, United States Code, is amended by striking "the website described under" and inserting "a website described in".

(b) Other provisions of title 31, United States Code, are amended in the matter preceding paragraph (1) by striking "the website described under" and inserting "a website described in".

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website of the Office of Management and Budget pursuant to and inserting “a website described in”. (5) Section 3512(a)(1) of title 31, United States Code, is amended by striking “the website described under” and inserting “a website described in”.

SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement entitled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the measure before us.

There was no objection.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bill and would like to thank Congressman WALBERG and COOPER for their hard work on it.

The Taxpayers Right-to-Know Act is a bipartisan and commonsense solution that would help identify areas of inefficiency in the Federal Government. The bill would create an inventory of Federal programs that would be published on a government website and updated regularly. The information in the inventory would also be archived.

Previous attempts at getting information from agencies on Federal programs have yielded incomplete and varied results, since agencies often have different ways of defining Federal programs.

This bill aims to provide streamlined and uniformed insight into the activities of programs governmentwide. The Taxpayers Right-to-Know Act would require agencies to report on the spending, authorization, and purpose of a Federal program’s activities. Information would also be required on any awards of financial assistance. Access to enhanced information would result in greater transparency into duplicative or inefficient programs.

This bill would also provide a means to test a way in which this comprehensive inventory of Federal programs would be achieved across the Federal Government. It would require the Office of Management and Budget to report on how existing agency data would be used to create the program inventory or explain how the data will be presented and the results of a pilot program.

Mr. Speaker, I support this good government measure, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 3830, the Taxpayers Right-to-Know Act.

The Federal Government is a complex and diverse organization. As Members of Congress, we are responsible for ensuring the Federal Government is efficient and effective. However, we lack the tools to understand how the taxpayer dollars are spent. Oftentimes, we lack a detailed list of the programs that are there.

This bipartisan bill will increase transparency and make it easier to see how the Federal Government uses its tax dollars.

May I edit that last statement just a bit? It is not the government’s tax dollars. It is the hardworking American people’s tax dollars. So this is a critically important additional tool.

In fiscal year 2019, the Federal Government spent nearly $4.4 trillion. Taxpayers should know where their hard-earned money is going. To follow the money, we need to know what the government is doing, so a comprehensive inventory of Federal programs will help us do that.

In 2010, Congress required the executive branch to develop a comprehensive Federal program inventory. The program inventory Congress envisioned would have given the public insight into the government’s organizational structure and provided a comparable list of all Federal programs.

Comparability is key. We need to see how these programs match up. To give you one example, there were 678 duplicative programs in the Federal Government that dealt just with sustainable energy. You can argue the merits of priority or the lack thereof, but, certainly, over 600 programs to deal with one particular issue across the government is something that cannot be efficient.

However, the Government Accountability Office found that the program inventory built for the previous administration in 2013 failed to meet the intent of the law or needs of Congress. Implementing guidance allowed far too much flexibility for agencies to define programs. Each agency used its own definition, which prevented programs to be compared to one another. So the Taxpayers Right-to-Know Act updates the law to require a more consistent definition of Federal programs across all agencies.

Mr. Speaker, I think this is a good bill that goes with the intent of Congress as laid out, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, if the gentleman from North Carolina has no further speakers, I am prepared to close.

Mr. MEADOWS. Mr. Speaker, I am sure we have one other speaker who is running in the halls right now, but I may let him speak upon a different bill.

Let me just mention Mr. WALBERG’s leadership on this, and shout-out to him and his leadership on trying to make sure congressional intent was indeed addressed. I thank him for his leadership.

Mr. Speaker, I urge support for this bill, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time, and I urge passage of H.R. 3830, as amended.

Mr. MEADOWS. Will the gentlewoman yield?

Mrs. CAROLYN B. MALONEY of New York. Yes, I yield to the gentleman.

Mr. MEADOWS. I appreciate the gentlewoman’s flexibility, but if you would let me reclaim my time and yield to the gentleman, who made it in by the hair on his chinny chin chin.

The SPEAKER pro tempore (Mr. HINES). Without objection, the gentleman from North Carolina reclaims his time and yields to the gentleman from Michigan.

There was no objection.

Mr. WALBERG. Mr. Speaker, I thank the gentleman and gentlewoman.

Mr. Speaker, I did shave this morning, so there wasn’t much hair on the chinny chin chin.

Mr. Speaker, American taxpayers deserve to know where, when, why, and how government is spending their hard-earned dollars. This is why I partnered with my colleague from Tennessee, Representative Jim Cooper, to introduce H.R. 3830, the Taxpayers Right-to-Know Act. This bipartisan legislation requires Federal agencies to supply an online accounting of their program activities in an easily searchable inventory, so that Americans can keep tabs on where and how their tax dollars are being spent.

The inventory will account for how funds are allocated, the total amount appropriated, obligated, and outlaid for services and the intended population served by each program. It will also provide performance reviews for each program, including any and all inspector general or Government Accountability Office reports. All of the information provided for the inventory will be updated regularly to provide for a more real-time accounting of Federal program dollars.

Mr. Speaker, I ask for support from my colleagues for this legislation. I think its time has come.

Mr. MEADOWS. Mr. Speaker, I think the gentlewoman’s courtesy. I urge support for this bill, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge passage of H.R. 3830, as amended, and yield back the balance of my time.

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February 5, 2020
The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H. R. 3832, as amended.

The question having been taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

USPS FAIRNESS ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3832) to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

SEC. 1. SHORT TITLE.

This Act may be cited as the “USPS Fairness Act.”

SEC. 2. REPEAL OF REQUIRED PREPAYMENT OF FUTURE POSTAL SERVICE RETIREMENT BENEFITS.

Subsection (d) of section 8909a of title 5, United States Code, is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

Now, we can all agree that there need to be major reforms, but this particular bill, and the way that it is being put forward would actually hurt the Postal Service's financial condition.

The Postal Service’s financial condition continues to decline, with a projected 45 billion mail pieces over the next decade. The committee on Oversight and Reform, and Congressman CONNOLLY in particular, is working on comprehensive legislation to do just that. We will continue to work on comprehensive legislation after this bill passes.

Finally, I thank my good friend, Mr. DeFAZIO, for his tireless, passionate advocacy for this bill. I also thank Mr. REED and Mr. FITZPATRICK, on the other side of the aisle, as well as Ms. TORRES SMALL, for all of their hard work.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I thank the gentlewoman from New York. The Committee on Oversight and Reform, and Congressman CONNOLLY in particular, is working on comprehensive legislation to do just that. We will continue to work on comprehensive legislation after this bill passes.

Finally, I thank my good friend, Mr. DeFAZIO, for his tireless, passionate advocacy for this bill. I also thank Mr. REED and Mr. FITZPATRICK, on the other side of the aisle, as well as Ms. TORRES SMALL, for all of their hard work.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

The money isn’t being put into a trust fund to pay for their health insurance. It is going into the maw of the Treasury. Who knows where it goes. It may not even make it to the person for whom it was intended.

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The money isn’t being put into a trust fund to pay for their health insurance. It is going into the maw of the Treasury. Who knows where it goes. It may not even make it to the person for whom it was intended.
This is a snowball going down the hill that is going to pick up steam. The only way to pay off the unfunded liabilities created by the U.S. post office retiree health benefits—without enacting cost-saving reform to the U.S. Postal Service, which this bill does not—would be a bailout.

That is why President Trump’s Task Force on the United States Postal System issued formal opposition to removing the prefunding requirement. To quote the task force: “The task force does not believe that this general policy should change or that the liability for USPS retiree health benefits should be shifted to the taxpayers.”

Mr. Speaker, I agree, to be clear, this bill moves taxpayers one step closer to a bailout of the USPS, and we should oppose this change on the taxpayers’ behalf.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY), the distinguished subcommittee chairman.

Mr. CONNOLLY. Mr. Speaker, I thank my good friend and distinguished chair of the Oversight and Reform Committee for calling this bill.

I can tell you that, if this bill would have been introduced, I would have risen and supported it. If this is all we are going to do, hallelujah. Let’s do it and get it done. If this is wrong, this does not solve the problem.

You can give them a pass on $5 billion a year, and they are still losing money. That is the whole issue. That is the issue. That is the crux of the issue.

Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Mr. Speaker, I thank my colleague from North Carolina. I agree with my colleague from North Carolina, let us not confuse what we are talking about here today.

I very much appreciate the postal employees who deliver the mail to my house. When I go into a post office and need to mail things, they are wonderful people and give great service. That is not the issue here. The issue is: Are we going to fund, properly, the retirement and healthcare services?

I am not necessarily opposed to addressing the United States Postal Service’s requirement to prefund its retiree health benefits. Doing so, though, in this manner would be disastrous for the American taxpayer. This bill’s elimination of the prefunding requirement without instituting any reforms to tackle its fiscal status, as my colleague has said, would simply mean that Congress continues to play the game of kicking the can down the road.

The fact is that there is already a long history of public retirement accounts that have either dramatically cut retiree benefits or had to rely on a taxpayer bailout as a result of not fully prefunding their plans.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS) in the spirit of letting my colleagues express their full-throated support of this bill.

Mr. DAVIS. Mr. Speaker, I thank my friend, Mr. MEADOWS. We have been working on issues like this relating to the long-term solvency of our Postal Service for many years, and I look forward to standing on this floor with him in the near future when we come up with a good, comprehensive solution that addresses issues like this.

I thank him for his leadership and his support of the Postal Service and the great postal workers who make up one of the greatest services that we have in our country.

Unfortunately, the Postal Service today is forced to play by a different set of rules, and those are unfair. This bill corrects this by repealing the 2006 provision that removed the service's provision future retiree health benefits.

In 2006, the Postal Accountability and Enhancement Act mandated that the Postal Service fund retiree health benefits decades in advance, something no other public or private enterprise is forced to do. Over the years, this mandate has caused severe cuts and damaged the Postal Service’s ability to invest in even new delivery vehicles.

I have always been a steadfast supporter of the Postal Service and its workers. In fact, after speaking to many of the postal unions in my district, like the Letter Carriers and the Rural Letter Carriers’, I proudly cosponsored this piece of legislation.

I look forward to working with my colleagues on this issue and other important pieces of legislation that impact our postal unions, such as opposing the privatization of the Postal Service and protecting the 6-day delivery, door-to-door service, and our rural post offices.

Mr. Speaker, we have to work together. We need to make sure that our Postal Service remains viable. I urge a ‘‘yes’’ vote on this bill, and I look forward to working with everyone in this institution in the future.

Mr. MEADOWS. Mr. Speaker, I thank the gentleman for his comments, and I would also join him. We have got a number of great unions that have had the privilege of getting to know over this time as we looked at comprehensive reform, and his acknowledging them and his willingness to look at something that actually solves the problem is to be applauded.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2 minutes to...
Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise today in strong support of H.R. 2382, the USPS Fairness Act.

The United States Postal Service is an essential part of American life. It was established more than 231 years ago and has delivered on its promise every one of those years.

Benjamin Franklin was the first Postmaster General in the United States. And they have—while I understand it is not an official slogan, I think we have all heard this: “Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed mission.”

So we know that with more than 100 billion pieces of mail delivered each year, and a 90 percent approval rating, that we must do all that we can to support them.

Today, Members of Congress are taking the important step to help support over seven million U.S. postal workers across the country.

Since 2006, U.S. postal employees have been forced to prefund retiree health benefits 75 years in advance, making them the only government agency that must prefund future employees that have not been born yet. This ridiculous law has caused the Postal Service to lose billions of dollars each year and has caused postal employees’ uncertainty in their work. This cannot continue.

So I am profoundly concerned that I have received over 300 of my colleagues that we must reverse this absurd policy. The United States Postal Service Fairness Act will repeal the prefunding mandate that is mandated and allow the United States Postal Service to return to its pay-as-you-go system as used before.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume. I appreciate all the points that my friend the gentleman from Oregon (Mr. BLUMENAUER) makes. I appreciate the gentlewoman's courtesy in permitting me to speak on this bill.

I feel very strongly about this. The United States Postal Service moves almost half the world’s mail. It is the most popular Federal agency, highest ratings. And, in fact, if you look at the interaction that we have with postal workers, in my community and elsewhere, they are deeply beloved.

I had a father-in-law who was a postal worker. In the holiday season he was burdened down with cookies and fruitcake and brandy that was given to him by the people on his route.

What we have seen, unfortunately, since 2006, is part of an assault on the finest Postal Service in the world. You have heard it said before on the floor; this is the only—not just the only Federal agency, I don’t think there is any entity in the United States that is required to prefund health benefits for people who haven’t yet been born but might be employed 20, 30, 40 years from now. This is part of an effort on behalf of some who literally have a jihad against the U.S. Postal Service.

This is an outdated policy which has forced the Postal Service into a horrible financial position, which has prevented it from investing in resources that would benefit all of our communities, no matter where we live.

Moreover, Mr. Speaker, this legislation has widespread support from the National Association of Letter Carriers, the American Postal Workers Union, and the National Postal Mail Handlers Union.

This bipartisan bill will restore USPS' financial health by shoring up that funding and ensuring that it has the resources to improve the Postal Service for all Americans.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to support this legislation. This is the priority for our postal workers, our letter carriers, and our post offices that serve all of our communities.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

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

Mr. FITZPATRICK. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. Speaker, the USPS is the only Government entity—the only one—which is mandated to prefund its retirees’ health benefits. 100 percent of the Postal Service’s financial losses over the past 6 years—100 percent—are directly due and linked to this requirement.

This is an outdated policy which has forced the Postal Service into a horrible financial position, which has prevented it from investing in resources that would benefit all of our communities, no matter where we live.

Moreover, Mr. Speaker, this legislation has widespread support from the National Association of Letter Carriers, the American Postal Workers Union, and the National Postal Mail Handlers Union.

This bipartisan bill will restore USPS’ financial health by shoring up
and it has resulted in a serious disruption in our community by people who are disconnected from the actual service that is given.

Postal jobs are the best jobs in many rural and small-town America; a beloved service, a service that provides an essential connection for virtually the entire country, 6 days a week, and, in fact, if we get our act together, there is more benefit that can be provided.

Get rid of this stupid prefunding and give them more flexibility about the services they can provide. Why aren’t we using the U.S. Postal Service to help us with the census? These people know who lives in the neighborhood. Why are we hiring temporary employees? Why can’t we use the Postal Service to deal with problems in the future, if we have an outbreak of an anthrax-sort of activity in terms of lethal threats. Use the Postal Service. Give them the flexibility to provide more service. Regret the men and women who work there, and stop this stupid effort to undercut the finest Postal Service in the world.

I appreciate the committee bringing this legislation forward. I appreciate the bipartisan support, and maybe it is time we get our act together to help them fulfill their full potential.

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

I do need to correct a few things that the gentleman from Oregon just addressed. This is not—support or being against this bill is not an attack on the Postal Service.

I mean, there is no one who has invested more time—I can promise you, when I came to Congress, fixing the Postal Service was not on my bucket list. And as we have invested time, and I see my good friend, Mr. LYNCH, my good friend, Mr. CONNOLLY, let me just tell you, we have invested days, if not weeks and months, to try to address this.

But the gentleman from Oregon is just not correct. This particular bill, while it may be part of a solution, gives the Postal Service a way to provide for their retirement and the benefits and the health benefits that they have earned.

I will say this: I want to make sure that my postal unions and all of those that are watching very intently, you have made an impact on this Member from North Carolina.

Mr. Speaker, they have let me know exactly how important this is. And yet, at the same time, I am afraid I cannot support this bill because it does not do what we need it to do, and that is, address the problem today. This just kicks the can down the road. And unfortunately, it doesn’t even kick it down the road long enough to allow the postal workers to depend on the very system that employs them.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), my good friend and colleague.

Mr. LYNCH. Mr. Speaker, I thank the gentlewoman for her kindness and the courtesy afforded to me.

I do want to say that, like some other Members in this Chamber. I think at one count, I had 17 of my relations, including my mom, several of her sisters, two of my sisters, my brother-in-law, all my cousins, who worked for the United States Postal Service, sort of the family business. And I do thank the gentleman from North Carolina. We spent, you know, days, if not weeks, if not months, arguing over the contours of this legislation.

I want to thank Mr. DEFAZIO. And I rise in strong support of his bill. I also thank my colleague from Virginia (Mr. CONNOLLY) for his work on this as well. And our dear colleague, Elijah Cummings, who worked on this, put his heart and soul into finding a solution.

Look, I do agree with the gentleman from North Carolina’s comments, that this does not solve everything. It does not. But it is an important element of a bill that we, Republicans and Democrats, passed out of committee unanimously, without any dissent in a previous session. So it is a very important element of what we are trying to do. There is no dispute with the gentleman from Oregon’s earlier remarks that we don’t ask any other group within government to fund their retiree health benefits this way. This was an idea that, I think, came out of a time when, before email and before the use of social media, the volume of mail within the Postal Service being delivered every single day, could sustain the current configuration of retiree health benefits.

Those days are long gone, and we have to figure out a way that will keep giving the Postal Service viable going forward.

This does not solve everything but, boy, I will tell you, this solves a lot. It buys us time to craft those other pieces that need to come together as well.

So I would argue that we should not allow the perfect to be the enemy of the good. This is a solid change here.

This is something that I think people need to understand that what we are requiring of the Postal Service right now is that, when an employee comes into the Postal Service, we have to set aside the money, on day one, for their eventual retirement; while every other collective bargaining agreement and pension system periodically reassesses what the demands are as that person gets closer to retirement. That is the critical time to know whether or not there are sufficient resources and a guarantee that certain resources are there for that person to enjoy the retirement they need to enjoy the health benefits that they have earned.

So I just ask my colleagues to vote in support of this bill. I support Mr. DEFAZIO’s bill wholeheartedly, and I thank the Speaker for his courtesy.

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

I know that everybody is tuned in in their offices, paying attention to this unbelievable debate, and so for all of you that are tuned in on C-SPAN, and as we debate this, I think it is important that I share a couple of sentences from the U.S. Postal Service. So it is not from my colleagues opposite. It is not from my point of view; but this is what they have to say about this bill: ""... we would neither underfund nor improve our cash flow or our long-term financial position. It would not impact the liquidity crisis that we have."

These are not my words, Mr. Speaker. These are the words that are closest to the financial responsibility, the Postal Service themselves.

So if the gentlewoman is prepared to close, I will just recommend to my colleagues a ‘no vote’, and I yield back the balance of my time.

The SPEAKER pro tempore. Members are further reminded to address their remarks to the Chair, not to a perceived viewing audience.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 2382, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise in strong support of H.R. 2382, the U.S.P.S. Fairness Act, introduced by my colleague, Representative PETER DEFAZIO of Oregon.

I’d like to commend Mr. DEFAZIO and the other bipartisan sponsors of this bill—Mr. REED of New York, Ms. TORRES-SMALL of New Mexico, and Mr. FITZPATRICK of Pennsylvania—for their leadership in addressing the serious fiscal challenges facing the United States Postal Service. I’d also like to recognize the relentless and united effort on the part of our postal employee unions, management associations, and other stakeholders to advance this commonsense legislation.

With the support of over 300 bipartisan co-sponsors, the U.S.P.S. Fairness Act would repeal a misguided provision in current law requiring the postal service to fully fund its health care costs for future postal retirees decades before it is necessary—that’s an annual average cost of over $5.5 billion dollars. This is a requirement that federal law does not impose on any other government agency—especially one that receives zero tax dollars and instead relies on the revenue generated by its own stamps, products, and services to fund its operations. It is no surprise that the postal service has not been able to make these exorbitant annual payments since 2011.
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The elimination of the so-called “pre-funding mandate” is a sensible first step towards improving the financial viability of the postal service. This bipartisan bill should also guide our approach to developing comprehensive postal reform legislation going forward. In stark contrast to the more partisan and sweeping reform proposals that have been presented to our committee in recent years, H.R. 2382 will immediately place the postal service on more sound financial footing while preserving its core public service mission to “provide postal services to the nation throughout the correspondence of the people.”

And contrary to the degradation of postal delivery services, or the wholesale privatization of the postal service itself, H.R. 2382 is the end product of bipartisan cooperation and the subject of broad consensus among our diverse postal stakeholders. As we develop additional postal reform legislation, it is imperative that we continue to identify fundamental and practical areas of agreement.

I urge my colleagues on both sides of the aisle to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. Carolyn B. Maloney) that the House suspend the rules and pass the bill, H.R. 2382.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. FOXX of North Carolina. 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 motion will be postponed.

FEDERAL RISK AND AUTHORIZATION MANAGEMENT PROGRAM AUTHORIZATION ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3941) to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

SEC. 2. CODIFICATION OF THE FEDRAMP PROGRAM.


(a) Establishment.—There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator of General Services, in accordance with the guidelines established pursuant to section 3612, shall establish a governmentwide program that provides the authoritative standardized approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

(b) Components of FedRAMP.—The Joint Authorization Board and the FedRAMP Program Management Office are established as components of FedRAMP.

SEC. 3608. FedRAMP Program Management Office.

(a) GSA Duties.—

(1) Roles and Responsibilities.—The Administrator of General Services shall—

(A) determine the categories and characteristics of cloud computing information technology goods or services that are within the jurisdiction of FedRAMP and that require FedRAMP authorization from the Joint Authorization Board or the FedRAMP Program Management Office;

(B) develop processes and implement a process for the FedRAMP Program Management Office, the Joint Authorization Board, and agencies to review security assessments of cloud computing services pursuant to subsections (b) and (c) of section 3611, and appropriate oversight of continuous monitoring of cloud computing services; and

(C) ensure the continuous improvement of FedRAMP.

(2) Implementation.—The Administrator shall oversee the implementation of FedRAMP, including—

(A) appointing a Program Director to oversee the FedRAMP Program Management Office;

(B) hiring professional staff as may be necessary for the effective operation of the FedRAMP Program Management Office, and such other actions as may be essential to properly perform critical functions;

(C) entering into interagency agreements to detail personnel on a reimbursable or non-reimbursable basis to the FedRAMP Program Management Office and the Joint Authorization Board in discharging the responsibilities of the Office under this section; and

(D) such other actions as the Administrator may determine necessary to carry out this section.

(b) Duties.—The FedRAMP Program Management Office shall have the following duties:

(1) Provide guidance to independent assessment organizations, validate the independent assessments, and apply the requirements and guidelines adopted in section 3609(c)

(2) Oversee and issue guidelines regarding the qualifications, roles, and responsibilities of independent assessment organizations.

(3) Develop templates and other materials to support the Joint Authorization Board and agencies in the authorization of cloud computing services to increase the speed, efficiency, and transparency of the authorization process, consistent with standards defined by the National Institute of Standards and Technology.

(4) Establish and maintain a public comment process for proposed guidance before the issuance of such guidance by FedRAMP.

(5) Issue FedRAMP authorization for any authorizations to operate issued by an agency that meets the requirements and guidelines described in paragraph (1).

(c) Establishment for Agencies to Use Authorization Packages Processed by the FedRAMP Program Management Office and Joint Authorization Board.

(1) Establish framework for agencies to use authorization packages processed by the FedRAMP Program Management Office and Joint Authorization Board.

(2) Coordinate with the Secretary of Defense and the Secretary of Homeland Security to establish a framework for continuous monitoring and reporting required of agencies pursuant to section 3551.

(3) Establish a centralized and secure repository to collect and share necessary data, including security authorization packages, from the Joint Authorization Board and agencies to enable better sharing and reuse to such packages across agencies.

SEC. 3609. Joint Authorization Board.

(a) Establishment.—There is established the Joint Authorization Board which shall consist of cloud computing experts, appointed by the Director in consultation with the Administrator, from among the following:

(1) The Department of Defense.

(2) The Department of Homeland Security.

(3) The General Services Administration.

(4) Such other agencies as determined by the Administrator in consultation with the Administrator.

(b) Issuance of Provisional Authorizations to Operate.—The Joint Authorization Board shall conduct security assessments of cloud computing services and issue provisional authorizations to operate to cloud service providers that meet FedRAMP security guidelines set forth in section 3606(b)(1).

(c) Duties.—The Joint Authorization Board shall—

(1) develop and make publicly available on a website, determined by the Administrator, criteria for prioritizing and selecting cloud computing services to be assessed by the Joint Authorization Board;

(2) provide regular updates on the status of any cloud computing service during the assessment and authorization process of the Joint Authorization Board and FedRAMP authorizations, serve as a resource for best practices to accelerate the FedRAMP process;

(3) review and validate cloud computing services and independent assessment organization security packages or any documentation determined to be necessary by the Joint Authorization Board to evaluate the system security of a cloud computing service;

(4) in consultation with the FedRAMP Program Management Office, serve as a resource for best practices to accelerate the FedRAMP process;
“(5) establish requirements and guidelines for security assessments of cloud computing services, consistent with standards defined by the National Institute of Standards and Technology, issued by the Joint Authorization Board and agencies;

“(6) perform such other roles and responsibilities as the Administrator may assign, in coordination with the FedRAMP Program Management Office and members of the Joint Authorization Board; and

“(7) establish metrics and goals for reviews and activities related to successful completion of issuing provisional authorizations to operate and provide to the FedRAMP Program Management Office.

“(d) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING SERVICES.—The Joint Authorization Board shall consult with the Chief Information Officers Council established in section 3603 to establish a process for prioritizing and accepting the cloud computing services to be granted a provisional authorization to operate through the Joint Authorization Board, which shall be made available on a public website.

“(e) DETAIL OF PERSONNEL.—To assist the Joint Authorization Board in discharging the responsibilities under this section, personnel of agencies may be detailed to the Joint Authorization Board for the performance of duties described under subsection (c).

“§ 3610. Independent assessment organizations

“(a) REQUIREMENTS FOR ACCREDITATION.—The Joint Authorization Board shall determine the requirements for certification of independent assessment organizations pursuant to section 3609. Such requirements may include developing or requiring certification programs for individuals employed by the independent assessment organizations who lead FedRAMP assessments.

“(b) ASSESSMENT.—Accredited independent assessment organizations may assess, validate, and report the quality and compliance of security assessment materials provided by cloud service providers.

“§ 3611. Roles and responsibilities of agencies

“(a) In GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3612—

“(1) create policies to ensure cloud computing services used by the agency meet FedRAMP security requirements and other risk-based performance requirements as defined by the Director;

“(2) issue agency-specific authorizations to operate for cloud computing services in compliance with section 3554;

“(3) confirm whether there is a provisional authorization to operate in the cloud security repository established under section 3606(b) issued by the Joint Authorization Board or a FedRAMP authorization issued by the FedRAMP Program Management Office before beginning an agency authorization for a cloud computing product or service;

“(4) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received either a provisional authorization to operate by the Joint Authorization Board or a FedRAMP authorization by the FedRAMP Program Management Office, use the existing assessments of security controls and materials within the authorization package; and

“(5) provide data and information required to the Director pursuant to section 3612 to determine how agencies are meeting metrics as defined by the FedRAMP Program Management Office.

“(b) SUBMISSION OF POLICIES REQUIRED.—Not later than 6 months after the date of the enactment of this section, the head of each agency shall submit to the Director the policies created pursuant to subsection (a)(1) for review and approval.

“§ 3612. Roles and responsibilities of the Office of Management and Budget

“The Director shall have the following duties:

“(1) Issue guidance to ensure that an agency does not operate a Federal Government cloud computing service using Government data without an authorization to operate issued by the agency that meets the requirements of subsection II of chapter 35 and FedRAMP.

“(2) Ensure agencies are in compliance with any issuing authority determination requirements issued related to FedRAMP.

“(3) Review, analyze, and update guidance on the adoption, security, and use of cloud computing products and services used by agencies.

“(4) Ensure the Joint Authorization Board is in compliance with section 3609(c).

“(5) Adjudicate disagreements between the Joint Authorization Board and cloud computing service providers seeking a provisional authorization to operate through the Joint Authorization Board.

“(6) Promulgate regulations on the role of FedRAMP authorization in agency acquisition of cloud computing products and services that process unclassified information.

“§ 3613. Authorization of appropriations for FedRAMP

“There is authorized to be appropriated $20,000,000 each year for the FedRAMP Program Management Office and the Joint Authorization Board.

“§ 3614. Reports to Congress

“Not later than 12 months after the date of the enactment of this section, and annually thereafter, the Administrator shall submit to the Committee on Oversight and Reform of the House of Representatives as a part of the Oversight and Reform Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

“(1) The status, efficiency, and effectiveness of FedRAMP Program Management Office and agencies during the preceding year in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for cloud computing products and services, including, where available, the metrics adopted by the FedRAMP Program Management Office pursuant to section 3606(d) and the Joint Authorization Board pursuant to section 3612.

“(2) Data on agency use of provisional authorizations to operate issued by the Joint Authorization Board and agency sponsored authorizations that receive FedRAMP authorization by the FedRAMP Program Management Office.

“(3) The length of time for the Joint Authorization Board to review applications for and issue provisional authorizations to operate.

“(4) The length of time for the FedRAMP Program Management Office to review agency applications for and issue FedRAMP authorizations.

“(5) The number of provisional authorizations to operate issued by the Joint Authorization Board and FedRAMP authorizations issued by the FedRAMP Program Management Office for the previous year.

“(6) A review of progress made during the preceding year in advancing automation processes to securely automate FedRAMP processes and to accelerate reporting as described in this section.

“(7) The number and characteristics of authorized cloud computing services in use at each agency consistent with guidance provided by the Director in section 3612.

“§ 3615. Federal Secure Cloud Advisory Committee

“(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

“(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the ‘Committee’) to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, and security of cloud computing products and services to enable agency mission and administrative priorities.

“(b) Purposes.—The purposes of the Committee are the following:

“(A) To examine the operations of FedRAMP and determine ways that authorization processes can be streamlined, improved, including the following:

“(i) Measures to increase agency re-use of provisional authorizations to operate issued by the Joint Authorization Board.

“(ii) Proposed actions that can be adopted to reduce the cost of provisional authorizations to operate and FedRAMP authorizations for cloud computing services offered by small businesses (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

“(iii) Measures to increase the number of provisional authorizations to operate or FedRAMP authorizations for cloud computing services used by agencies.

“(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

“(d) DUTIES.—The duties of the Committee are, at a minimum, the following:

“(A) Provide advice and recommendations to the Administrator, the Joint Authorization Board, and to agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing services.

“(B) Submit reports as required.

“(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Administrator of the Office of Electronic Government, as follows:

“(A) The Administrator or the Administrator’s designee, who shall be the Chair of the Committee.

“(B) At least 1 representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.
(C) At least 2 officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

(D) At least 1 official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

(E) At least 1 individual representing an independent assessment organization.

(F) At least 5 representatives from unique businesses that primarily provide cloud computing services or products, including at least 2 representatives from a small business, as defined by section 3609(a) of the Small Business Act (15 U.S.C. 632(a)).

(G) At least 2 other government representatives as the Administrator determines to be necessary to provide sufficient balance, insights, or expertise to the Committee.

(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 30 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT.—(A) Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1, 2, or 3 years at the discretion of the Chair, after a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. Any such member may serve after the expiration of that member’s term until a successor has taken office.

(c) MEETINGS AND RULES OF PROCEDURE.—

(1) MEETINGS.—The Committee shall hold not fewer than 3 meetings in a calendar year, at such time and place as determined by the Chair.

(2) INITIAL MEETING.—Not later than 120 days after the date of the enactment of this section, the Committee shall meet and begin the organization.

(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee, if such rules are not inconsistent with this section or other applicable law.

(d) EMPLOYEE STATUS.—

(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with another Federal appointment) shall not be considered an employee of the Federal Government for any service as such member, except for the purposes of section 5703 of title 5, relating to travel expenses.

(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the panel.

(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding any other provision of law, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee, except that section 14 of such Act shall not apply.

(f) MEETING BY VIDEO EVIDENCE.—The Committee, or on the authority of the Committee, any subcommittee, may, for the purposes of carrying out this section, hold hearings, at such times and places as the Chair may designate, take testimony, receive evidence, and administer oaths.

(g) CONTRACTING.—The Committee, may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Committee to discharge its duties under this section.

(h) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Committee is authorized to obtain directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of the Committee. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chair, the Chair of any subcommittee created by a majority of the Committee, or any member designated by a majority of the Committee.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information may only be received, handled, stored, and disseminated by members of the Committee and its staff consistent with the Committee’s statutes, regulations, and Executive orders.

(i) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from the Committee, and such details shall retain the rights, status, and privileges of his or her regular employment without interruption.

(j) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies of the Government.

(k) EXPERT AND CONSULTANT SERVICES.—The Committee is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily rate paid a person occupying a position at Level IV of the Executive Schedule under section 33515 of title 5.

(l) REPORTS.—

(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

(2) ANNUAL REPORTS.—Not later than 18 months after the date of the enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

§ 3616. Definitions

(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to sections 3607 through this section.

(b) ADDITIONAL DEFINITIONS.—In sections 3607 through this section:

(1) ADMINISTRATOR.—(A) The term ‘Administrator’ means the Administrator of General Services.

(2) AUTHORIZATION PACKAGE.—The term ‘authorization package’ means an entity offering cloud computing services to agencies.

(3) DIRECTOR.—(A) The term ‘Director’ means the Director of the Office of Management and Budget.

(4) CLOUD SERVICE PROVIDER.—The term ‘cloud service provider’ means an entity offering cloud computing services to agencies.

(5) DIRECTOR.—(A) The term ‘Director’ means the Director of the Office of Management and Budget.

(6) FEDRAMP.—The term ‘FedRAMP’ means the Federal Risk and Authorization Management Program established under section 3608.

(7) FEDRAMP AUTHORIZATION.—The term ‘FedRAMP authorization’ means a cloud computing product or service that has received an agency authorization to operate and has been approved by the FedRAMP Program Management Office to meet requirements and guidelines established by the FedRAMP Program Management Office.

(8) FEDRAMP PROGRAM MANAGEMENT OFFICE.—The term ‘FedRAMP Program Management Office’ means the office that administers FedRAMP established under section 3608.

(9) INDEPENDENT ASSESSMENT ORGANIZATION.—The term ‘independent assessment organization’ means a third-party organization accredited by the Program Director of the FedRAMP Program Management Office to undertake conformity assessments of cloud service providers.

(10) JOINT AUTHORIZATION BOARD.—The term ‘Joint Authorization Board’ means the Joint Authorization Board established under section 3609.

(11) JOINT AUTHORIZATION BOARD.—(A) The term ‘Joint Authorization Board’ means the Joint Authorization Board established under section 3609.

(12) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by striking at the end the following new items:


3608. FedRAMP Program Management Office.

3609. Joint Authorization Board.

3610. Independent assessment organizations.

3611. Roles and responsibilities of agencies.

3612. Roles and responsibilities of the Office of Management and Budget.

3613. Authorization of appropriations for FedRAMP.

3614. Reports to Congress.


3616. Definitions.

(j) POSTAL SERVICES.—The Act and any amendment made by this Act shall be repealed on the date that is 10 years after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

(i) THE SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.
The SPEAKER pro tempore. Is there an objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleagues and friends, Representatives CONNOLLY and MEadows, for their bipartisan work on this very important measure.


First established in 2011, FedRAMP is an important program that certifies cloud service providers that wish to offer services to the Federal Government. The FedRAMP certification process outlined in this bill is comprehensive and facilitates easier agency adoption, promotes agency reuse, and encourages savings.

The FedRAMP process uses a risk-based approach to ensure the reliability of any cloud platform that hosts unclassified government data. A significant provision of this bill is the Federal Secure Cloud Advisory Committee. This committee would be tasked with key responsibilities, including providing technical expertise on cloud products and services and identifying ways to reduce costs associated with FedRAMP certification.

The House bill codifies the Federal Risk and Authorization Management Act, which reaffirmed its support for Cloud Smart, which reaffirmed its support for FedRAMP in helping agencies modernize their information technology systems.

Cloud Smart also highlighted improvements the program has implemented over the past few years that resulted in a reduced timeframe for providing a provisional authorization to operate a cloud service provider.

However, the administration also noted that there is still lack of reciprocity among agencies in taking advantage of FedRAMP-authorized products. Without that reciprocity, agencies end up duplicating the assessment process of cloud service offerings, leading to time delays and inefficiencies for both the Federal Government and the providers.

In July, the Subcommittee on Government Operations held a hearing to look at what the GSA has done right in administering the program and the ways in which FedRAMP can and should be improved. The message from both agencies and industry witnesses was clear. FedRAMP is an important program that, if carried out effectively and efficiently, saves money for both agencies and businesses hoping to provide those services.

The FedRAMP Authorization Act codifies the program and addresses many of the concerns raised in July by both the administration and private-sector witnesses.

The bill also reduces duplication of security assessments and other obstacles to agency adoption of cloud products by establishing—a presumption of adequacy for cloud technologies that have already received FedRAMP certification. Going to 33 different windows with 33 separate processes costs way too much money, takes way too much time, and, frankly, is unnecessary.

The presumption of adequacy means that whenever a cloud service offering has met baseline security standards already established by the program and should be considered approved for use across the Federal Government, except where very specialized services would be required.

The bill also facilitates agency reuse of cloud technologies that have already received an authorization to operate by requiring agencies to check a centralized and secure repository and, to the extent practicable, reuse any existing security assessment before conducting an independent one of their own.

The desire to automate aspects of FedRAMP assessment processes was another key finding of the subcommittee’s hearing. This bill requires the GSA to work toward automating their processes, which will lead to more standard security assessments and continuous monitoring of cloud offerings to increase the efficiency for both providers and agencies.

The bill also establishes, as the distinguished chairwoman indicated, a Federal Secure Cloud Advisory Committee to ensure a dialogue among...
``(1) ANNUAL FINANCIAL STATEMENT.—The term ‘annual financial statement’ means the annual financial statement required under section 3351 of this title or similar provision of law.

``(2) COMPLIANCE.—The term ‘compliance’ means that an executive agency—

(A) has—

(i) published improper payments information with the annual financial statement of the executive agency for the most recent fiscal year; and

(ii) posted on the website of the executive agency that statement and any accompanying materials required under guidance of the Office of Management and Budget;

(B) if required, has conducted a program specific risk assessment for each program or activity that conforms with the requirements under section 3352(a); and

(C) if required, publishes improper payment estimates for all programs and activities identified under section 3352(a) in the accompanying materials to the annual financial statement;

``(D) publishes programmatic corrective action plans prepared under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement;

``(E) publishes improper payments reduction targets established under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed as being at risk.

``(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 3352(c).

``(B) Do Not Pay Initiative.—The term ‘Do Not Pay Initiative’ means the initiative described in section 3354(b).

``(2) IMPROPER PAYMENT.—The term ‘improper payment’ means any payment that should not have been made or that was made in an incorrect amount, including an overpayment or underpayment, under a statutory, contractual, administrative, or other legally applicable requirement; and

``(3) RISK ASSESSMENTS.—

(A) periodically review all programs and activities that the head of the executive agency shall, in accordance with guidance provided by the Director of the Office of Management and Budget—

(i) published improper payments information with the annual financial statement of the executive agency for the most recent fiscal year; and

(ii) posted on the website of the executive agency that statement and any accompanying materials required under guidance of the Office of Management and Budget;

(B) if required, has conducted a program specific risk assessment for each program or activity that conforms with the requirements under section 3352(a); and

(C) if required, publishes improper payment estimates for all programs and activities identified under section 3352(a) in the accompanying materials to the annual financial statement;

``(D) publishes programmatic corrective action plans prepared under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed as being at risk.

``(E) publishes improper payments reduction targets established under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed as being at risk.

``(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 3352(c).

``(B) Scope.—In conducting a review under paragraph (1), the head of each executive agency shall take into account risk factors that are likely to contribute to a susceptibility to significant improper payments, such as—

(i) whether the program or activity reviewed is new to the executive agency;

(ii) the complexity of the program or activity reviewed;

(iii) the volume of payments made through the program or activity reviewed;

(iv) whether payments or payment eligibility decisions are made outside of the executive agency, such as by a State or local government;

(v) recent major changes in program funding, authorities, practices, or procedures;

(vi) the level, experience, and quality of training for personnel responsible for making program eligibility determinations or certifying that payments are accurate;

(vii) significant deficiencies in the audit report of the executive agency or other relevant management findings that might hinder accurate payment certification;

(viii) similarities to other programs or activities that have reported improper payment estimates or been deemed susceptible to significant improper payments;

(ix) the accuracy and reliability of improper payment estimates previously reported for the program or activity, or other indicator of potential susceptibility to improper payments identified by the Inspector General of the executive agency, the Government Accountability Office, other audits performed by or on behalf of the Federal, State, or local government, disclosures by the executive agency, or any other means;

(x) whether the program or activity lacks information or data systems to confirm eligibility or provide for other payment integrity needs; and

(xi) the risk of fraud as assessed by the executive agency under the Standards for Internal Control in the Federal Government published by the Comptroller General of the United States (commonly known as the ‘Green Book’).
‘‘(C) ANNUAL REPORT.—Each executive agency shall publish an annual report that includes—

‘‘(i) a listing of each program or activity identified under paragraph (1), including the date on which the program or activity was most recently assessed for risk under paragraph (1); and

‘‘(ii) a listing of any program or activity for which the executive agency makes any substantial changes to the methodologies of the reviews conducted under paragraph (1).

‘‘(D) IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS.—

‘‘(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis—

‘‘(A) identify a list of high-priority Federal programs for greater levels of oversight and review;

‘‘(B) in coordination with the executive agency responsible for administering a high-priority program identified under subparagraph (A), establish annual targets and semiannual or quarterly actions for reducing improper payments associated with the high-priority program;

‘‘(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

‘‘(A) IN GENERAL.—Subject to Federal privacy laws to the extent permitted by law, each executive agency with a program identified under paragraph (1)(A) shall on an annual basis submit to the Inspector General of the executive agency and the Office of Management and Budget, and make available to the public, including through a website, a report on that program.

‘‘(B) A report submitted under subparagraph (A)—

‘‘(i) shall describe any action the executive agency has taken or planned to take to recover improper payments; and

‘‘(ii) shall not include—

‘‘(I) any referrals the executive agency made or anticipates making to the Department of Justice;

‘‘(II) any information provided in connection with a referral described in clause (I).

‘‘(C) PUBLIC AVAILABILITY ON CENTRAL WEBSITE.—The Office of Management and Budget shall make each report submitted under subparagraph (A) available on a central website.

‘‘(D) AVAILABILITY OF INFORMATION TO INSPECTOR GENERAL.—Subparagraph (B)(i) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.

‘‘(E) ASSESSMENT AND RECOMMENDATIONS.—

The Inspector General of each executive agency shall assess under paragraph (A) each program identified under subparagraph (A) shall, for each program of the executive agency that is identified under paragraph (1)(A)—

‘‘(1) review—

‘‘(I) the assessment of the level of risk associated with the program and the quality of the improper payments estimate methods and methodologies of the executive agency relating to the program; and

‘‘(II) the oversight or financial controls to identify and prevent improper payments under paragraph (1); and

‘‘(2) submit to the appropriate authorizing and appropriations committees of Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the executive agency relating to the program, including improvements for improper payments determination and estimation methodology.

‘‘(F) ANNUAL MEETING.—Not less frequently than once every year, the Director of the Office of Management and Budget, or a designee of the Director, shall meet with the Director of the Office of Management and Budget, or a designee of the Director, to report on actions taken during the preceding year and planned actions to prevent improper payments; and

‘‘(G) ESTIMATION OF IMPROPER PAYMENTS.—

‘‘(1) ESTIMATION.—With respect to each program and activity identified under subsection (a)(1), the head of the relevant executive agency shall—

‘‘(A) produce a statistically valid estimate, or an estimate that is otherwise appropriate using a methodology approved by the Director of the Office of Management and Budget, of the improper payments made under the program or activity; and

‘‘(B) include the estimates described in subparagraph (A) in the accompanying materials to the annual financial statement of the executive agency that is required in applicable guidance of the Office of Management and Budget.

‘‘(2) LACKING OR INSUFFICIENT DOCUMENTATION.—

‘‘(A) IN GENERAL.—For the purpose of producing an estimate under paragraph (1), when the head of the relevant executive agency determines, due to lacking or insufficient documentation, whether a payment is proper or not, the payment shall be treated as an improper payment.

‘‘(B) SEPARATE REPORT.—The head of an executive agency may report separately on what portion of the improper payments estimated for a program or activity of the executive agency under paragraph (1) is attributable to lacking or insufficient documentation.

‘‘(C) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an executive agency with estimated improper payments under subsection (c), the head of the executive agency shall provide with the estimate required under subsection (c) a report on what actions the executive agency is taking to reduce improper payments, including—

‘‘(i) a description of the causes of the improper payments, actions planned or taken to correct them, and the planned or actual completion date of the actions taken to address those causes;

‘‘(ii) in order to reduce improper payments to a level below which further expenditures to reduce improper payments would cost more than the amount those expenditures would save in prevented or recovered improper payments, a statement of whether the executive agency has what is needed with respect to—

‘‘(I) internal controls;

‘‘(II) human capital; and

‘‘(III) information systems and other infrastructure;

‘‘(G) if the executive agency does not have sufficient resources to establish and maintain effective internal controls as described in paragraph (2)(A), a description of the resources the executive agency has requested or is requesting from the Inspector General of the executive agency to establish and maintain those internal controls;

‘‘(H) program-specific and activity-specific improper payment reduction targets that have been approved by the Director of the Office of Management and Budget;

‘‘(I) a description of the steps the executive agency has taken to improve improper payments estimation and recovery actions submitted under this section;

‘‘(J) GUDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

‘‘(I) IN GENERAL.—Not later than 1 year after the date of enactment of this section,
the Director of the Office of Management and Budget shall prescribe guidance for executive agencies to implement the requirements of this section, which shall not include strategies for addressing existing deficiencies or vulnerabilities that are not specifically authorized by this section.

(2) CONTENTS.—The guidance under paragraph (1) shall include—

(A) the form of the reports on actions to reduce improper payments, recovery actions, and Governmentwide reporting; and

(B) strategies for addressing risks and establishing appropriate prepayment and postpayment internal controls.

(b) DETERMINATIONS OF AGENCY READINESS TO CONDUCT AUDITS.—The criteria required to be developed under section 2(g) of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section—

(1) shall continue to be in effect on and after the date of enactment of this section; and

(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

(ii) take prompt and appropriate action in response to a report or notification by a contractor under subclause (I) or (II) of subparagraph (D)(i) to collect an overpayment; and

(II) any other activities of the Inspector General relating to investigating improper payments or auditing internal controls associated with payments; and

(E) AGENCY FOLLOWING NOTIFICATION.—Each executive agency shall—

(i) prepare a report and submit it to the Inspector General relating to investigating improper payments or auditing internal controls associated with payments; and

(ii) shall remain available for the same period and purposes as the appropriation or funds from which it was credited.

(F) REMAINDER.—Amounts collected that are not applied in accordance with subparagraph (B), (C), (D), or (E) shall be deposited in the Treasury as miscellaneous receipts, except that in the case of recoveries of overpayments that are made from trust or special revenue funds, those amounts shall revert to those accounts.

(G) DISCRETIONARY AMOUNTS.—This paragraph shall apply only to recoveries of overpayments that are made from discretionary appropriations, as defined in section 290(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(7)), and shall not apply to recoveries of overpayments that are made from mandatory amounts that were appropriated before the date of enactment of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section.

(H) APPLICATION.—This paragraph shall not apply to the recovery of an overpayment if the appropriation from which the overpayment was made has not expired.

(3) FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM.—

(A) REQUIREMENT.—The head of each executive agency shall conduct a financial management improvement program consistent with rules prescribed by the Director of the Office of Management and Budget.

(B) PROGRAM FEATURES.—In conducting a program described in subparagraph (A), the head of an executive agency—

(i) shall, as the first priority of the program, address problems that contribute directly to executive agency improper payments; and

(ii) may seek to reduce errors and waste in other executive agency programs and operations.

(C) PRIVACY PROTECTIONS.—Any non-governmental entity that, in the course of recovery auditing or recovery activity under this subsection, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than the recovery auditing or recovery activity and government oversight of the activity, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

(D) RULE OF CONSTRUCTION.—Except as provided under paragraph (4), nothing in this subsection shall be construed as terminating or in any way limiting authorities that are otherwise available to executive agencies under existing provisions of law to recover improper payments and use recovered amounts.

§ 3353. Compliance

(a) ANNUAL COMPLIANCE REPORT BY INSPECTOR GENERAL OF EXECUTIVE AGENCIES.—

(1) IN GENERAL.—Each fiscal year, the Inspector General of each executive agency shall—

(A) determine whether the executive agency is in compliance; and

(B) submit to the head of the executive agency a report relating to—

(i) the extent to which the executive agency complied with the requirements of this section; and

(ii) the extent to which the executive agency is in compliance with any other applicable requirements.

(B) REPORT.—Each report under paragraph (1) shall include—

(i) a description of the methods and procedures used by the executive agency to —

(I) carry out the requirements of this section; and

(II) carry out the requirements of any other applicable requirements;

(ii) a certification by the head of the executive agency that the executive agency—

(I) has taken all actions necessary to ensure that the executive agency is in compliance with the requirements of this section; and

(II) has taken all actions necessary to ensure that the executive agency is in compliance with any other applicable requirements; and

(iii) an estimate of the extent to which the executive agency has—

(A) taken all actions necessary to ensure that the executive agency is in compliance with the requirements of this section; and

(B) taken all actions necessary to ensure that the executive agency is in compliance with any other applicable requirements;

(III) any other actions described in subsection (a) that are appropriate.
“(B) submit a report on the determination made under subparagraph (A) to—

(i) the head of the executive agency;
(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;
(iii) the Committee on Oversight and Reform of the House of Representatives; and
(iv) the Comptroller General of the United States.

(2) DEVELOPMENT OR USE OF A CENTRAL WEBSITE.—The Council of the Inspectors General on Integrity and Efficiency (in this subsection referred to as the ‘Council’) shall develop a central website, or make use of a public central website in existence on the date of enactment of this section, to contain individual compliance determination reports issued by the Inspectors General under paragraph (1)(B) and such additional information as determined by the Council.

(3) OMB GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council and with consideration given to the available resources and independence of individual Offices of Inspectors General, shall develop and promulgate guidance for the compliance determination reports issued by the Inspectors General under paragraph (1)(B), which shall require that—

(A) the reporting format used by the Inspector General is consistent;
(B) Inspectors General evaluate and take into account the adequacy of executive agency risk assessments, improper payment estimates methodology, and executive agency action plans to address the causes of improper payments;
(C) Inspectors General take into account whether the executive agency has correctly identified the causes of improper payments and whether the actions of the executive agency to address those causes are adequate and effective;
(D) Inspectors General evaluate the adequacy of executive agency action plans on how the executive agency addresses the causes of improper payments; and
(E) as part of the report, Inspectors General include an evaluation of executive agency efforts to prevent and reduce improper payments and promulgate guidance that specifies procedures for compliance determinations made by the Inspectors General under paragraph (1)(A), which shall describe processes for Inspectors General—

(A) to make the determinations consistent regarding compliance; and
(B) to evaluate—

(i) any compliance with the requirement described in section 3531(2)(B), the risk assessment methodology of the executive agency, including whether the audits, examinations, and other work of the Inspector General indicate a higher risk of improper payments or actual improper payments that were not included in the risk assessments of the executive agency conducted under section 3532(a);

(ii) for compliance with the requirement described in section 3531(2)(C), the accuracy of the data and whether the sampling and estimation plan used is appropriate given program characteristics;

(iii) for compliance with the requirement described in section 3531(2)(D), the adequacy of the executive agency action plans and whether the plans are adequate and focused on the true causes of improper payments, including whether the correct action plans are—

(I) reducing improper payments;

(II) implemented; and

(III) prioritized within the executive agency;

(iv) the adequacy of executive agency action plans to address the causes of improper payments;

(v) executive agency efforts to prevent and reduce improper payments, and any recommendations for actions to further improve these efforts; and

(vi) whether an executive agency has published an annual financial statement in accordance with the requirement described in section 3531(2)(A).

(4) PLAN AND TIMELINE FOR COMPLIANCE.—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) in a fiscal year with respect to a program or activity, the head of the executive agency shall submit to the appropriate committees of Congress a plan describing the actions that the executive agency will take to come into compliance.

(5) ANNUAL REPORT.—Each executive agency shall submit to the appropriate authorizing and appropriations committees of Congress and the Comptroller General of the United States—

(A) a list of each program or activity that was not determined to be in compliance under paragraph (1), (2), (3), or (4); and

(B) a description of any requirements that were fulfilled for 1, 2, or 3 consecutive years of noncompliance that are still relevant and being pursued as a means to bring the program or activity into compliance and prevent and reduce improper payments.

(6) COMPLIANCE ENFORCEMENT PILOT PROGRAMS.—The Director of the Office of Management and Budget may establish 1 or more pilot programs that would provide potential accountability mechanisms with appropriate incentives and consequences tied to success in ensuring compliance with this section and eliminating improper payments.

(7) IMPROVED ESTIMATES GUIDANCE.—The guidance required to be provided under section 3(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section,

(i) shall continue to be in effect on and after the date of enactment of this section; and

(ii) may be modified as determined appropriate by the Director of the Office of Management and Budget.

§ 3354. Do Not Pay Initiative

(a) PREPAYMENT AND PREWARD PROCEDURES.—

(i) IN GENERAL.—Each executive agency shall review prepayment and preaward procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program eligibility. Each executive agency shall ensure that Federal funds are not paid to individuals or entities that are not eligible to receive Federal funds and immediately take appropriate action to prevent improper payments before the release of any Federal funds.
“(2) DATABASES.—At a minimum and before issuing any payment or award, each executive agency shall review as appropriate the following databases to verify eligibility of the payment or award:

(A) the death records maintained by the Commissioner of Social Security.

(B) The System for Award Management Exclusively known as the Excluded Parties List System, of the General Services Administration.

(C) The Debt Check Database of the Department of the Treasury.

(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.


(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 161(e) of the Social Security Act (42 U.S.C. 402(x), 1362(e)).

(b) Do Not Pay Initiative.—

(1) IN GENERAL.—There is the Do Not Pay Initiative to prevent improper payments.

(A) USE OF DATABASES.—Use of any of the databases described in subsection (a)(2); and

(B) OTHER DATABASES.—In making designations of other databases designated by the Director of the Office of Management and Budget, or the designee of the Director, in consultation with executive agencies and in accordance with paragraphs (2) and (3), respectively, of section 202(e) of title 18, shall have access to:

(1) shall be in effect on and after the date of enactment of this section; and

(2) shall require each executive agency to verify payment or award eligibility in accordance with subsection (a).

(c) INITIAL WORKING SYSTEM.—The working system required to be established under section 5(c) of the Improper Payments Elimination and Recovery Improvement Act of 2002, is in effect on the day before the date of enactment of this section.

(d) FACILITATING DATA ACCESS BY FEDERAL AGENCIES FOR PURPOSES OF PROGRAM INTEGRITY.—

(1) COMPUTER MATCHING BY EXECUTIVE AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

(A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), the head of each executive agency may enter into computer matching agreements with other executive agencies that allow ongoing data matching, which shall include automated data matching, in the detection and prevention of improper payments.

(B) REVIEW.—Not later than 60 days after the date on which a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5 for consideration, the Data Integrity Board shall respond to the proposal.

(2) TERMINATION DATE.—An agreement described in subparagraph (A)—

(i) shall have a termination date of less than 3 years;

(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the executive agency for an additional period of not more than 3 years.

(3) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5 shall be applied by substituting ‘between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies for’ between the source agency and the recipient agency or non-Federal agency in the matter preceding subparagraph (A).

(4) COST-BENEFIT ANALYSIS.—A justification under subparagraph (A) is not required to contain a specific estimate of any savings under the computer matching agreement.

(5) GUIDANCE AND PROCEDURES BY THE OFFICE OF MANAGEMENT AND BUDGET.—The guidance, rules, and procedures required to be issued, clarified, and established under paragraphs (3) and (4) of section 5(e) of the Improper Payments Elimination and Recovery Improvement Act of 2002 is in effect on the day before the date of enactment of this section.

(e) PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO DECIDED INDIVIDUALS BY IMPROVING THE QUALITY AND USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE AND OTHER DEATH DATA.—

(1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and each State, the Director of the Office of Management and Budget shall conduct a study and update the plan required to be established under section 5(c) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section, for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported to the Commissioner under section 200(r) of the Social Security Act (42 U.S.C. 400(r)).

(2) ADDITIONAL ACTIONS UNDER PLAN.—The plan described in this subsection shall include recommended actions by executive agencies to:

(A) increase the quality and frequency of access to the Death Master File and other death data;

(B) achieve a goal of at least daily access as appropriate;

(C) provide for all States and other data providers to use improved and electronic means for providing data;

(D) identify improved methods by executive agencies for determining ineligible payments due to the death of a recipient through proactive verification and

(E) address improper payments made by executive agencies to deceased individuals as part of Federal retirement programs.

(f) REVIEW.—Not later than 120 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to Congress on the plan described in this section, including

§3555. Improving recovery of improper payments

The Director of the Office of Management and Budget shall determine:

(1) current and historical rates and amounts of recovery of improper payments, or, in cases in which improper payments are made solely on the basis of inaccurate recovery rates and amounts estimated on the basis of the applicable sample, including a
list of executive agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

(2) identifying improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

§3356. Improving the use of data by executive agencies for curbing improper payments

(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—The procedure required to be established under section 7(a) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

(1) shall continue to be in effect on and after the date of enactment of this section; and

(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

(b) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF VETERANS AFFAIRS AND THE OFFICE OF PERSONNEL MANAGEMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Veterans Affairs and the Director of the Office of Personnel Management shall establish a procedure under which the Secretary and the Director—

(1) shall promptly and on a regular basis submit information relating to the deaths of individuals, including stopped payments data as applicable, to each executive agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary; and

(2) to facilitate the centralized access of death data for the use of reducing improper payments, including stopped payments data as applicable, to each executive agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary; and

(c) GUIDANCE TO EXECUTIVE AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—The guidance required to be issued under section 7(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

(1) shall continue to be in effect on and after the date of enactment of this section; and

(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

§3357. Financial and administrative controls relating to fraud and improper payments

(a) DEFINITION.—In this section, the term ‘agency’ has the meaning given the term in section 551 of title 5.

(b) GUIDELINES.—The guidelines required to be established under subsection (a) of section 3352 of title 31, United States Code, and the Government Charge Card Abuse Prevention Act of 2015, as in effect on the day before the date of enactment of this section—

(1) shall continue to be in effect on and after the date of enactment of this section; and

(2) may be periodically modified by the Director of the Office of Management and Budget, in consultation with the Comptroller General of the United States, as the Director and Comptroller General may determine appropriate by the Director of the Office of Management and Budget, which may include the Chief Information Officer, the Chief Procurement Officer, the Chief Risk Officer, or the Chief Operating Officer of an executive agency.

(c) REQUIREMENTS FOR CONTROLS.—The guidelines described in subsection (b) shall include—

(1) conducting an evaluation of fraud risks and using a risk-based approach to design and implement financial and administrative control activities to mitigate identified fraud risks;

(2) collecting and analyzing data from reporting mechanisms on detected fraud to identify trends and use such data and information to continuously improve fraud prevention controls; and

(3) using the results of monitoring, evaluation, and any accompanying recommendations to improve fraud prevention, detection, and response.

(d) REPORT.—For each of fiscal years 2019 and 2020, each agency shall submit to Congress, as part of the annual financial report of the agency, a report of the agency on—

(i) implementing—

(A) the financial and administrative controls described in subsection (b); and

(B) the fraud risk principle in the Standards for Internal Control in the Federal Government established by the Government Accountability Office (commonly known as the ‘Green Book’); and

(ii) Office of Management and Budget Circular A–123, or any successor thereto, with respect to the leading practices for managing fraud risk;

(2) identifying risks and vulnerabilities to fraud, including with respect to payroll, beneficiary payments, grants, large contracts, and purchase and travel cards; and

(3) establishing methodologies, procedures, and other steps to curb fraud.

§3358. Interagency working group for Governmentwide payment integrity improvement

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, there is established an interagency working group on payment integrity—

(A) to improve—

(i) State-administered Federal programs to determine eligibility processes and data sharing practices;

(ii) the guidelines described in section 3357(b) and other best practices and techniques for detecting, preventing, and responding to improper payments, including improper payments that are the result of fraud; and

(iii) the sharing and development of data analytics techniques to help prevent and identify potential improper payments, including those that are the result of fraud; and

(B) to identify any additional activities that will improve payment integrity of Federal programs.

(2) COMPOSITION.—The interagency working group established under paragraph (1) shall be composed of—

(A) the Director of the Office of Management and Budget;

(B) 1 representative from each of the agencies described in paragraphs (1) and (2) of section 901(b) of this title; and

(C) any other representatives of other executive agencies determined appropriate by the Director of the Office of Management and Budget, which may include the Chief Information Officer, the Chief Procurement Officer, the Chief Risk Officer, or the Chief Operating Officer of an executive agency.

(b) CONSULTATION.—The working group established under subsection (a)(1) may consult with Offices of Inspectors General and Federal and non-Federal experts on fraud risk assessments, administrative controls over payment integrity, and other relevant matters.

(c) MEETINGS.—The working group established under subsection (a)(1) shall hold not fewer than 4 meetings per year.

(d) REPORT.—Not later than 240 days after the date of enactment of this section, the working group established under subsection (a)(1) shall submit to Congress a report that includes—

(1) a plan containing tangible solutions to prevent and reduce improper payments; and

(2) a plan for State agencies to work with Federal agencies to regularly review lists of beneficiaries to avoid enrollment of Federal programs for duplicate enrollment between States, including how the Do Not Pay Business Center and the data analytics initiative of the Department of the Treasury could aid in the detection of duplicate enrollment.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 33 of title 31, United States Code, is amended by adding at the end the following:

‘‘SUBCHAPTER IV—IMPROPER PAYMENTS’’.

§3351. Definitions.

§3352. Estimates of improper payments and reports on actions to reduce improper payments.

§3353. Compliance.

§3354. Do Not Pay Initiative.

§3355. Improving recovery of improper payments.

§3356. Improving the use of data by executive agencies for curbing improper payments.

§3357. Financial and administrative controls relating to fraud and improper payments.

§3358. Interagency working group for Governmentwide payment integrity improvement.

SEC. 3. REPEALS.

(a) IN GENERAL.—

(1) IMPROPER PAYMENTS INFORMATION ACT OF 2002.—The Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is repealed.

(2) IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 111-204; 124 Stat. 2224) is repealed.

(3) IMPROPER PAYMENTS ELIMINATION AND RECOVERY IMPROVEMENT ACT OF 2012.—The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is repealed.

(4) FRAUD REDUCTION AND DATA ANALYTICS ACT OF 2015.—The Fraud Reduction and Data Analytics Act of 2015 (31 U.S.C. 3321 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—


(2) HOMELAND SECURITY ACT OF 2002.—Section 202(a) of the Homeland Security Act of 2002 (6 U.S.C. 120(a)) is amended by striking ‘‘Consistent with title IV, chapter 33 of title 31, United States Code’’.

(3) SOCIAL SECURITY ACT.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by striking ‘‘Improve Payments Information Act of 2002’’ and inserting ‘‘Consistent with subchapter IV of chapter 33 of title 31, United States Code’’.

(4) TITLE XI.—Section 3562(a) of title 31, United States Code, is amended—

(A) in paragraph (1) by striking ‘‘(1)’’ and inserting ‘‘(1)’’ and

(B) in paragraph (5), by striking ‘‘section 202(b) of the Improper Payments Elimination and Recovery Act of 2010 (31 U.S.C. 3321 note)’’ and inserting ‘‘section 3352(b) of title 31, United States Code’’.

(5) SOCIAL SECURITY ACT.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by striking ‘‘Improve Payments Information Act of 2002’’ each place that term appears and inserting ‘‘subchapter IV of chapter 33 of title 31, United States Code’’.

(6) TITLE XI.—Section 3352(i) of title 31, United States Code, is amended by striking ‘‘section 551 of title 31, United States Code’’ and inserting ‘‘section 551 of title 31, United States Code’’.
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(1) by striking “agency for the following purposes:” and all that follows through “To reimburse” and inserting “agency to reimburse”;

(2) by striking paragraph (2).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York? There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Improper payments include overpayments, underpayments, payments to the incorrect recipient, and those that lack proper documentation. They are a longstanding and significant problem in the Federal Government. In fiscal year 2018 alone, they totaled more than $151 billion.

Congress has passed a number of laws over the past two decades to try and address this problem, but the problem, unfortunately, persists.

S. 375, the Payment Integrity Information Act, would consolidate the existing and proper payment laws in one place in the U.S. Code and make several changes to help identify and reduce improper payments. It would require agencies to develop plans to prevent improper payments and also to identify programs with the highest risk.

It would also require the Office of Management and Budget and inspectors general to offer guidance on how to improve annual reporting on improper payments.

Finally, the bill will create a working group of Federal agencies and non-Federal partners to develop strategies for addressing the key causes of improper payments, such as fraud and eligibility determination in State-managed programs.

I thank Senators TOM CARPER, RON JOHNSON, GARY PETERS, and MIKE BRAUN for their good work on this commonsense measure. I commend Senator CARPER for his longstanding dedication to reducing improper payments.

Mr. Speaker, I urge my colleagues to support this important measure to reduce waste and fraud in Federal programs, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of S. 375, the Payment Integrity Information Act of 2019. I know that I am not alone in addressing the Speaker on the will of the House, but there are very few times that we see a whole lot of good that comes out of the other Chamber in the Capitol. This is one of the rare moments.

So as I see this, I would actually encourage support of it.

According to the GAO, since 2003, we have had $1.5 trillion—that is trillion with a T—in improper payments. In fiscal year 2018 alone, Federal agencies estimated that there was $151 billion in improper payments.

The Speaker probably knows that oftentimes we have had, in Oversight Committee, annual reports on improper payments, and consistently we are talking about hundreds of billions of dollars that are sent to not only the wrong place, but in terms that are not even accounted for. And after you get hundreds of billions year after year, eventually that adds up to real money. It is time that we address this.

This is a commonsense piece of legislation that brings everything together so that we can start, hopefully, addressing the sad state of where we are in addressing improper payments. The American people demand it, the American taxpayers deserve it, and, ultimately, we have a responsibility to address it. So I rise in support of this.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentlewoman from Minnesota (Ms. CRAIG), the House sponsor for this bill.

Ms. CRAIG. Mr. Speaker, I thank the chairwoman for yielding.

Mr. Speaker, I rise today in support of S. 375, the Payment Integrity Information Act. I was proud to introduce H.R. 5389, the House companion to this bill.

Mr. Speaker, I thank the Congressmen, Mr. MEADOWS, as well as Representatives CUSTODIO and GIGANTE for their work on this bill.

My constituents sent me here to Congress to represent some of the hardest working, creative, and entrepreneurial folks in our country. Every day, I work to protect the hard-earned dollars of these families, and I remain committed to ensuring that the Federal Government is a good steward of their tax dollars.

In fiscal year 2018 alone, the Government Accountability Office estimated that improper payments throughout the Federal Government totaled $151 billion. Since 2003, when agencies were first directed to begin reporting improper payments, cumulative improper payments estimated across government have totaled $1.4 trillion.

These improper payments can be overpayments, underpayments, payments made to ineligible parties, or payments that were not properly documented. Frankly, it is outrageous.

Whether it is overpaying a defense contractor or underpaying a senior on their Social Security benefits, the Federal Government has an obligation to put commonsense policies in place to end these improper payments.

Mr. Speaker, I urge all of my colleagues to support this bipartisan and commonsense bill to tackle Federal waste, fraud, and abuse so that we can make room to fund the priorities that Minnesota families care so much about, like special education and addressing our crumbling infrastructure.

Mr. MEADOWS. Mr. Speaker, again, this bill actually takes five different laws that have really not been codified in an appropriate manner, brings them together under one umbrella, and allows us to address this in a meaningful way, a commonsense bill.

Mr. Speaker, I join my colleagues opposite to thank them for their support. I rise in support of this legislation.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of S. 375, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, S. 375.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Presidential Transition Enhancement Act of 2019”.

SEC. 2. PRESIDENTIAL TRANSITION ENHANCEMENTS.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “upon request,” and all that follows through “including” and inserting “upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities, including”;

(B) in paragraph (2)—

(1) by inserting “; or an employee of a committee of either House of Congress, a joint committee of the Congress, or an individual
(ii) shall be based on memorandums of understanding entered into under paragraph (1) upon request of the President-elect or the President occurs; or

(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code;

(B) ending on the date that is 60 days after the date of such inauguration; and

(ii) without regard to whether the President-elect or Vice-President-elect as Vice President incurred by the President or Vice President, during the period—

(A) beginning on the day after the date of the elections held to determine the President and Vice President under section 1 or 2 of title 3, United States Code; or

(B) ending on the date that is 60 days after the date of such inauguration; and

(3) in subsection (h)(2)(B)(i), by striking “computers” and inserting “information technology”;

(4) By adding at the end the following:

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(1) MEMORANDUM OF UNDERSTANDING.—
(1) In GENERAL.—Not later than September 1 of a year during which a Presidential election occurs, the Administrator shall, to the maximum extent practicable, enter into a memorandum of understanding with each eligible candidate, which shall include, at a minimum, the conditions for the administrative support services and facilities described in subsection (a).

(2) EXISTING RESOURCES.—To the maximum extent practicable, a memorandum of understanding entered into under paragraph (1) shall be based on memorandums of understanding relating to previous Presidential transitions.

(3) TRANSITION REPRESENTATIVE.—
(A) In GENERAL.—Each memorandum of understanding entered into under this subsection shall designate a representative of the eligible candidate to which such memorandum of understanding pertains, who shall have access to nonpublic or classified information provided in the course of the duties of such candidate, if such member knows or reasonably should know that such member knows or reasonably should know has not been made available to the public; and

(B) Change in transition representative.—The designation of a new individual as the transition representative of an eligible candidate shall not require the execution of a new memorandum of understanding.

(C) TERMINATION OF DESIGNATION.—The designation of a new individual as the transition representative of an eligible candidate shall not require the execution of a new memorandum of understanding under this subsection.

(4) AMENDMENTS.—Any amendment to a memorandum of understanding entered into under this subsection shall be agreed to in writing.

(5) PRIOR NOTIFICATION OF DEVIATION.—Each party to a memorandum of understanding entered into under this subsection shall provide written notice, except to the extent prohibited under another provision of law, not later than 3 days before taking any action that deviates from the terms and conditions agreed to in the memorandum of understanding.
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(6) DEFINITION.—In this subsection, the term "eligible candidate" has the meaning given that term in section 4(b)
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(b) AGENCY TRANSITIONS.—Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)(3), by striking “and” at the end of paragraph (5); and

(2) by striking paragraph (5) and

(3) by inserting after paragraph (3) the following:

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(4) the term 'nonpublic information'—

(A) means information from the Federal Government that a member of a transition team will provide to the public; and

(B) includes information about—

(i) a description of the ethics requirements applicable to the member that such member knows or reasonably should know has not been made available to the public; and

(ii) is not authorized by the appropriate government officials or officials to be released to the public; and

(ii) is not authorized by the appropriate government officials or officials to be released to the public; and

(iii) a Code of Ethical Conduct, which shall include, at a minimum—

(A) in paragraph (1), by striking “November 1” and inserting “October 1”; and

(B) by adding at the end the following:

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(3) ETHICAL CONDUCT.—
(A) In GENERAL.—Each memorandum of understanding under paragraph (1) shall include an agreement that the eligible candidate and the Administrator will—

(B) by redesignating paragraph (4) as paragraph (5):

(C) PUBLICLY AVAILABLE.—The transition team shall make the ethics plan described in this paragraph publicly available on the website of the General Services Administration online before or on the day on which the memorandum of understanding is completed; or

(5) October 1
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The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADORS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 minutes.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself as much time as I may consume.

The Presidential Transition Enhancement Act would make a number of important changes to the transition process when a new President is elected.

Mr. Speaker, I want to thank Senators JOHNSON and CARPER for their hard work on this issue.

Many of the provisions in the bill before us today were introduced in the House by our late chairman, Elijah Cummings, in the Transition Team Ethics Improvement Act.

Most importantly, the bill would strengthen the ethics requirements for transition team members to—

(1) seek authorization from transition team leaders or their designees before seeking access to the transition, to access any nonpublic information;

(2) keep confidential any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

(3) a Code of Ethical Conduct, which each member of the transition team will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires transition team members to—

(a) lobbyists registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) and individuals who were former lobbyists registered under that Act; and

(b) persons registered under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), foreign nationals, and other foreign agents;

(c) prohibit a transition team member with conflicts of interest similar to those applicable to Federal employees under section 2835.502(a) and section 2835.502(a) of title 5, Code of Federal Regulations, related to current or former employment, affiliations, clients, or investments, from working on particular matters involving specific parties that affect the interests of such member; and

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(II) prohibit a transition team member with conflicts of interest similar to those applicable to Federal employees under section 2835.502(a) and section 2835.502(a) of title 5, Code of Federal Regulations, related to current or former employment, affiliations, clients, or investments, from working on particular matters involving specific parties that affect the interests of such member; and

(3) the Code of Ethical Conduct, which each member of the transition team will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires transition team members to—

(a) seek authorization from transition team leaders or their designees before seeking access to the transition, to access any nonpublic information;

(b) keep confidential any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

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The Government Accountability Office issued a report in 2017 about President Trump’s Presidential transition.
GAO reported that the Trump transition team required team members to sign an ethics code of conduct but failed to designate a transition team member responsible for enforcing it. Ethics plans are important for Presidential transitions because Presidents-elect often hire transition team members who work in the private sector, but unlike Federal employees, private-sector employees are not subject to Federal ethics laws. The bill would require eligible Presidential candidates to agree to enforce ethics plans during the transition period. The bill includes core elements of what those ethics plans should include, such as a description of how the transition team will address participation by lobbyists and individuals working for foreign governments.

The bill would also require that transition teams make the ethics plans they do all publicly available. It also includes provisions to ensure that non-public information remains confidential and is not used in any way for personal gain. The bill would clarify the responsibility of the General Services Administration during a transition by requiring a memorandum of understanding between the agency and the Presidential transition team. Finally, the bill would allow GSA to provide transition services for up to 60 days after an inauguration. These provisions would help ensure smoother transitions than we have had in the past. I am very glad this is a bipartisan bill. The Senate approved this bill without any opposition.

The peaceful transition of power from one party to another is a cornerstone of our democratic system. We must do all we can to ensure the integrity of that process. Mr. Speaker, I urge my colleagues to join me in supporting this important measure.

The Speaker pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. Meadows) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 3976, to designate the facility of the U.S. Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the Aretha Franklin Post Office Building.

Mr. Speaker, I thank my friend and colleague, Representative BRENDA LAWRENCE, for introducing this important measure to honor a cultural and civil rights heroine. Aretha Franklin, the “Queen of Soul,” was an American singer, songwriter, pianist, and civil rights activist from Detroit, Michigan. Over her career, Aretha Franklin was awarded 18 Grammy awards, along with various lifetime achievement recognitions. Her unique vocal style not only influenced generations of future singers, but it also earned her the number one spot on Rolling Stone magazine’s list of the Greatest Singers of All Time.

Aretha Franklin was also a champion for civil rights and women’s rights. She frequently donated to civil rights groups, and two of her biggest hits, “Respect” and “You Make Me Feel Like a Natural Woman,” became anthems for social change movements across the country. In 1987, she was the first woman to be inducted into the Rock and Roll Hall of Fame. She also received the Presidential Medal of Freedom from President George W. Bush in 2005.

Aretha Franklin died of advanced pancreatic cancer on August 16, 2018, in Detroit, Michigan. Naming a post office in the city she cherished so fondly would recognize her important cultural and civic accomplishments.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 3976, introduced by my friend, Representative BRENDA LAWRENCE.

This bill, as has been mentioned, names a post office located in Detroit, Michigan, in honor of the “Queen of Soul,” Aretha Franklin.

Aretha Franklin was an American singer, songwriter, pianist, and civil rights activist, and so we want to give honor where honor is due.

She began her career as a child singer at her church in Detroit. For the next six decades, her distinctive voice captivated listeners and influenced countless other singers.
So it is my delight to rise in support of this particular bill. It is out of “Respect” for my good friend from Michigan, and so we will “Say a Little Prayer” and hope that this goes through.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. LAWRENCE), the author of this bill.

Mrs. LAWRENCE. Mr. Speaker, I thank the gentlewoman for yielding.

I will start by thanking the leadership on the Committee on Oversight and Reform for marking up this legislation.

Mr. Speaker, I rise today in support of H.R. 3976, which would rename a post office in my hometown of Detroit after the Queen of Soul, Aretha Franklin. As was mentioned earlier, she was an 18 Grammy Award winner; a star on the Hollywood Walk of Fame; and the first woman to be inducted into the Rock & Roll Hall of Fame.

She performed at three inaugural events for Presidents Carter, Clinton, and Barack Obama. She was a woman who stood on both sides of the aisle where President Bush issued her the Medal of Freedom.

“A Natural Woman” singer, she was more than just a music icon. She was a civil rights advocate who used her platform and voice to advocate for racial equality. I knew her personally and she would talk to me about being a child and having Martin Luther King in her home with her dad discussing policies and what they were going to do to fight together for racial equality.

In 1967, Aretha released “Respect,” which became a rallying cry for racial and gender political movements of the time. Although people remember Aretha Franklin as the “Queen of Soul” she was more than just a vocalist. Aretha used her platform to become a beacon of hope for people during the civil rights movement and her voice served as a perfect guiding light.

In 1967, she toured with Harry Belafonte and Sidney Poitier to raise money for Dr. Martin Luther King’s Southern Christian Leadership Conference. The organization was in a dire financial state and would soon become the Flame.

In 1970, few people knew Aretha Franklin posted bond for Angela Davis, a prominent activist who was jailed on trumped-up charges. In 1970, a Jet magazine article quoted Aretha Franklin: “Black people will be free. I have been locked up for disturbing the peace in Detroit and I know you got to disturb the peace when you can’t get no peace. Jail is hell to be in. I’m going to see her free if there is any justice in our courts ... because she’s a Black woman and she wants freedom for Black people.”

In her 1999 autobiography, “Aretha: From These Roots” described the impact Detroit had on her childhood and career. “Detroiter realize how deeply I appreciate the city in which I was raised. And it is in Detroit that I continue to cultivate my career; it is to Detroit that I direct most of my charitable activities; and it is from Detroit that I receive my love and support, which I reciprocate.”

No matter how famous she became worldwide, Aretha always gave back to the city she grew up in. She frequently hosted community events for congregants in her father’s church, and she donated to organizations like Save the Children and Easterseals and supported local food banks across Detroit.

In the year after her passing, an outpouring of support has led to the renaming of Detroit monuments in her honor—and I am so proud and happy to stand here today, personally knowing her, traveling with her on her tours—to include a post office near her home in Detroit to the list of ways to commemorate her.

While there is little that can truly demonstrate our appreciation for Aretha Franklin, I hope her family knows how proud and thankful we all are for her lifelong support.

Mr. Speaker, I urge my colleagues to give a little support R-E-S-P-E-C-T, to this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank Madam Chair for yielding.

Mr. Speaker, I rise today in strong support of H.R. 3976, the bill sponsored by my colleague, Mrs. LAWRENCE, and by the members of the Michigan delegation.

This bill honors the “Queen of Soul,” Aretha Franklin, and her innumerable contributions to music. Her faith in Detroit and its people is what I remember as much as her voice. This legislation serves as a fitting tribute to her esteemed legacy.

Aretha Franklin grew up singing at the New Bethel Baptist Church with her father, Reverend C.L. Franklin. Aretha's father was a good and dear friend to John Dingell, helping him early in his career. The two of them fought side by side in the fifties and the sixties for civil rights legislation.

Aretha’s career includes more than 20 Grammys, 20 Grand Cross orders, the first woman inducted into the Rock & Roll Hall of Fame and receiving the Presidential Medal of Freedom.

However, it is Aretha’s message through music of respect, love, and faith that will stay with us for generations.

Today, I stand with my Michigan colleagues and urge every Member to honor Aretha Franklin’s legacy. Her contributions to our country are deserving of this recognition, and maybe we need to have her up there, up there with John, “say a little prayer” for us.

Mr. MEADOWS. Mr. Speaker, I will just cut to the chase. Let’s get this thing done and get it over with and make sure that we show the “respect” that we should.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge passage of H.R. 3976. I had the opportunity to meet Aretha Franklin several times. She was a great friend of Charlie Rangel and would often perform for his events.

She very generously gave her time to raise money for all kinds of civic rights events. She was a remarkable person and a great singer.

Mr. Speaker, I urge everyone to support this important legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), that the House suspend the rules and pass the bill, H.R. 3976.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MOTHER FRANCES XAVIER CABRINI POST OFFICE BUILDING

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members exclude extraneous material on this measure.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. 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 this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?
There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4794, the legislation to designate the facilities of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the Mother Frances Xavier Cabrini Post Office.

I want to thank Representative Max Rose of New York, for introducing this bill honoring, literally, a saint. In November of 1880, Mother Cabrini, along with six other women, took religious vows and founded the Missionary Sisters of the Sacred Heart of Jesus. The purpose of the missionary was to care and educate orphans.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. Rose).

Mr. ROSE of New York. Mr. Speaker, I thank Congresswoman LAWRENCE for that kind introduction, and the gentlewoman is an honorable fellow New Yorker.

Mr. Speaker, I rise to support my bill, H.R. 4794, to rename the post office in Dyker Heights, Brooklyn as the Mother Frances Xavier Cabrini Post Office. Mother Cabrini was a great New Yorker and a great American who devoted her life to helping the poor and underserved to include immigrants throughout New York City.

Mother Cabrini is famous across the United States for her work providing education in underserved communities. She began her work organizing classes for Italian immigrants and orphans through the city. She helped found Columbus Hospital in New York City’s Lower East Side, which is now a part of the world-renowned Memorial Sloan Kettering Cancer Center.

After her success in New York, she was called upon to open up schools all around the world; not only across the United States, but also in Europe, and Central and South America.

Mother Cabrini is not just a New York icon, although she is that. Her name is affixed to buildings in Chicago, Seattle, New Orleans, Denver, Los Angeles, and Philadelphia.

Cabrini was naturalized as a U.S. citizen in 1909 and canonized as Saint Frances Xavier Cabrini on July 7, 1946 by Pope Pius XII as the patron saint of immigrants.

I am proud to have the support of my colleagues from the New York delegation, both Democrats and Republicans, who have come together in recognition that the time has come to give Mother Cabrini her due recognition.

Mother Cabrini will always be a shining example of our country’s commitment to the less fortunate, particularly immigrants in our country. She also serves as a testament for the power of education, the power of education to relieve poverty and empower communities, regardless of their background.

Mr. Speaker, I urge my colleagues to vote in favor of this bill.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 4794. I appreciate Representative Rose’s willingness to acknowledge the great work of Mother Cabrini and so much has been said already about her accomplishments.

Mr. Speaker, I ask that my colleagues support this legislation, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by Representative and Ms. Cabrini (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 4794.

The question was taken; and (two-thirds being in the affirmative) the bill was passed.

A motion to reconsider was laid on the table.

☐ 1630

JULIUS L. CHAMBERS CIVIL RIGHTS MEMORIAL POST OFFICE

Mrs. LAWRENCE. Mr. Speaker. I move to suspend the rules and pass the bill (H.R. 4981) to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the “Julius L. Chambers Civil Rights Memorial Post Office”.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JULIUS L. CHAMBERS CIVIL RIGHTS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, shall be known and designated as the “Julius L. Chambers Civil Rights Memorial Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to refer to the “Julius L. Chambers Civil Rights Memorial Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentlemen from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this matter.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4981 to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the Julius L. Chambers Civil Rights Memorial Post Office.

I thank Representative ALMA ADAMS for introducing this bill to honor Julius Chambers, a civil rights icon.

Mr. Speaker, I yield such time as she may consume the gentlewoman from North Carolina (Ms. ADAMS).

Mrs. ADAMS. Mr. Speaker, I thank the chairwoman from Michigan for yielding, as well the gentleman from North Carolina.

Mr. Speaker, I rise today in support of H.R. 4981, which would designate the U.S. Post Office facility at 2505 Derita Avenue in Charlotte, North Carolina, as the Julius L. Chambers Civil Rights Memorial Post Office.

Julius LeVonne Chambers was born in Mount Gilead, North Carolina, in 1935. When he was young, a White man stole from his father, an auto mechanic, by refusing to pay a substantial bill. When attorneys in Mount Gilead refused to hear his father’s case because his father was Black, Julius Chambers vowed to become a lawyer himself.

At North Carolina Central University, then the North Carolina College at Durham—for his undergraduate education, Chambers served as student body president. While attending UNC-Chapel Hill for law school, Julius Chambers was the first African American editor in chief of that school’s prestigious law review.

Upon graduating and moving to Charlotte in 1964, Julius Chambers began a prolific legal career that would see him fight for justice and equality. He founded his own law firm and immediately began to litigate key discrimination cases after White firms would not hire him. Mr. Chambers’ firm would later become North Carolina’s first integrated law firm, Chambers & Sumter, P.A. It is still in operation today.

Notably, in 1970, Chambers argued successfully before the U.S. Supreme Court the landmark case in which the Charlotte-Mecklenburg Board of Education that resulted in the desegregation of the Charlotte-Mecklenburg school system.

As he fought for equality, there were many who fought to stop him. In January 1965, his car was burned. In November 1965, his home was bombed. And in February 1971, his office was firebombed.

According to The New York Times: ‘His response was defiant; he said he would “keep fighting.” It was also measured. “We must accept this type of practice,” he said, “from those less in control of their faculties.”’

Though he endured hardships, he did not grow weary of his mission. As he grew into one of the Nation’s most accomplished civil rights lawyers, Julius Chambers would go on to lead the NAACP Legal Defense and Educational Fund for over 9 years, where he continued to fight for social justice and equality.
He would later return to North Carolina Central University to serve as chancellor, where he proudly cultivated young minds from 1993 until 2001.

After a lifetime of service to others, Julius Chambers passed away at the age of 76 in 2013.

Mr. Speaker, my State and our Nation are undoubtedly better because of the life of Julius L. Chambers. I admired this man, and I was pleased to know him and had many conversations with him during his lifetime.

During this Black History Month, I hope that my colleagues will join me in voting in favor of this legislation and help me honor this civil rights legend in a community that he worked so hard to improve.

I thank my colleague, Mr. MEADOWS, and all of my colleagues from North Carolina and that delegation for supporting this legislation.

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

Mr. Speaker, I rise in support of H.R. 4981 introduced by my good friend, the gentlewoman from Michigan (Ms. ADAMS).

Certainly, she has gone over all the reasons why support for this measure is not only demanded, but it is certainly deserved. I would just join her in asking my colleagues to support it, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume to urge the passage of H.R. 4981.

Mr. Speaker, this is such a significant opportunity for us in Congress to be able to recognize lifelong accomplishments that are above the norm, people who give their lives so that their names will never be forgotten.

It is with great honor that we recognize a queen, a saint, and now a civil rights leader, and I urge the passage of H.R. 4981.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 4981.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WALTER B. JONES, JR. POST OFFICE

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5037) to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the “Walter B. Jones, Jr. Post Office”.

The Clerk read the title of the bill.

The text of the bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  

SECTION 1. WALTER B. JONES, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, shall be known and designated as the “Walter B. Jones, Jr. Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other public record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Walter B. Jones, Jr. Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 5037 to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the Walter B. Jones, Jr. Post Office.

I thank Representative MURPHY for introducing this measure honoring our former colleague. As you know, Walter Jones was born in North Carolina and was a longtime resident of Farmville. He later graduated from Atlantic Christian College and served 4 years in the National Guard.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I am happy to rise in support of this legislation, H.R. 5037, which is a tribute to my predecessor, friend, and mentor, Congressman Walter B. Jones. Sadly, he passed away nearly a year ago.

This legislation would designate the post office in his hometown of Farmville, North Carolina, as the Walter B. Jones, Jr. Post Office.

He was the son of Walter B. Jones, Sr., and Doris Long. A devoted public servant, a man of great faith, and a proud American, Walter put the people and the needs of North Carolina’s Third District first.

I knew Walter first as a patient, who then became a dear friend and then became a political mentor. His passing was a loss for our State, our Nation, and for all who knew him and loved him.

In part due to his own service in the military, Walter cared deeply about the brave men and women who served our country. After attending Hargrave Military Academy in Virginia, Walter graduated from Atlantic Christian College in 1966 and went on to serve in the North Carolina National Guard for 4 years.

After serving for 10 years in the North Carolina House, he was elected to the United States House of Representatives in 1995, where he would spend the remainder of his life diligently serving the people of North Carolina’s Third Congressional District.

He worked tirelessly to ensure that Walter’s memory can be honored by his constituents and saw that they received assistance whenever they needed it, particularly with the VA and healthcare benefits.
Both in our Nation’s Capitol and in eastern North Carolina, Walter was known for his humility and kindheartedness. In fact, Walter was voted the nicest Member of Congress in 2004 in a survey conducted by the Washingtonian among top Capitol Hill staffers. Of Walter, Murphy was known for his vigorous support of our military and particularly thousands of marines based in eastern North Carolina at Camp Lejeune and Marine Corps air stations in Cherry Point as well as New River in the First District.

As a member of the Armed Services Committee, he began a letter-writing campaign, ultimately sending over 11,000 letters of condolences to families and extended family members of fallen soldiers. Outside of his office—and now my office—are hundreds of photos of those who have fallen for the freedom of this Nation.

This was the kind of man he was: admirable, selfless, and caring. Additionally, many of Walter’s greatest achievements while serving in Congress included the work to ensure autistic children of military families received a proper education. He also advocated for the use of hyperbaric oxygen therapy to treat veterans with traumatic brain injury and to protect the beautiful wild horses on Shackleford Banks and North Carolina’s beaches. He had compassion and respect for these beautiful animals on the eastern shores.

Walter left behind a legacy that epitomized what we all should aspire to be as a public servant. So it is my privilege to introduce this bill honoring such a great American like Walter Jones.

Mr. Speaker, I would like to thank the entire North Carolina delegation for joining as original cosponsors of this piece of legislation, and I urge Members to adopt H.R. 5037, which would permanently name the post office after him in Farmville.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD), my colleague.

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentlewoman for yielding me this very important bill.

I thank my colleagues, Congressman GREG MURPHY and Congressman MARK MEADOWS, for advancing this bill. I remember how well-connected they were to Walter B. Jones, Jr.—both of them—and I thank them for this legislation.

It is my honor to join with Congressman GREG MURPHY in cosponsoring this legislation, and so I support H.R. 5037.

Congressman Walter B. Jones, Jr., was a dear friend to the people of the First District. He was a devoted man of great faith. He was my personal friend, Mr. Speaker, for more than 40 years.

My colleagues will recall that, as Walter was beginning to decline in health, he was unable to come to the floor to have the oath of office administered to him, and Walter asked that I come to his home. The Speaker of the House authorized me to do so, and I went to his living room that day and administered the final oath of office to him. He was so appreciative, and we had a wonderful conversation that I shall never ever forget.

Walter Jones was a lifetime public servant, serving in the National Guard for 4 years, in our general assembly for 10 years, in Congress for 24 long years as Representative of the Third Congressional District.

Since I joined Congress in 2004, I watched Walter cast many difficult votes with conviction. I would sit right here to my left, and Walter would come by and, in his own way, he would say, “Mr. Chairman,” and we would have a wonderful laugh about that. But he would stand firm in what he believed was right for his constituents and the American people.

Although Walter is no longer with us, he left an indelible mark on eastern North Carolina. He left a mark on this House and the Nation. Mr. Speaker, I call on my colleagues to join me in honoring Walter B. Jones, Jr.

I was particularly moved that so many of our colleagues traveled by military aircraft as we went to his funeral that day. The Speaker of the House authorized the airplane, and we flew down to Greenville that day.

The airplane was full of colleagues in a bipartisan manner. Democrats and Republicans both attended the funeral. And it was bicameral. You may remember that Senator Byrne and Senator Tillis were there as well.

So I thank them very much for honoring this great man.

And to the Jones family, to Joe Ann and Ashley, may God bless you, and may we keep the memory of Walter B. Jones, Jr., alive.

Mr. MEADOWS. Mr. Speaker, all of us have come together to give a little bit of what we got in big doses, and that was compassion and care from a man who was not only strongest in his convictions, but resolute in those convictions as well.

So I rise in support. I appreciate my colleagues opposite for their support of this. I appreciate Congressman MURPHY for his leadership as well, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I stand here today just as always in awe of the history of this House and those who have served, knowing personally the sacrifices and the skill set that is needed to be successful. To be able to honor one of our own is something that I support.

Mr. Speaker, I urge the passage of H.R. 5037, and I yield back the balance of my time.

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Representative Walter B. Jones, Jr., a fierce champion for North Carolina, a diligent public servant, and a personal friend to many across this body.

Representative Jones passed away on February 10, 2019, his 76th birthday. He worked tirelessly on behalf of our great state and served four years in the North Carolina National Guard, ten years in the North Carolina General Assembly, and was a member of the House of Representatives for over three decades.

A man of profound integrity, Representative Jones fought each and every day for what he believed was right. From championing our men and women in uniform to protecting our coastline, he was always a steadfast voice for the people of eastern North Carolina.


Mr. Speaker, please join me today in honoring the life and legacy of Representative Walter B. Jones, Jr.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 5037.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SCIPIO A. JONES POST OFFICE PORTRAIT

H.R. 3317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCIPIO A. JONES POST OFFICE PORTRAIT

(a) In General.—The postmaster of the Scipio A. Jones Post Office, located at 1700 Main Street in Little Rock, Arkansas, may accept and display a portrait of Scipio A. Jones, and for other purposes.

(b) Costs; Gifts.—The United States Postal Service shall be responsible for any costs of displaying the painting. The postmaster referred to in such subsection is authorized to accept on behalf of the Government the painting and services necessary to display the painting.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this matter.
The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 3317, to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones.

Mr. Speaker, I thank Representative FRENCH HILL for introducing the measure to honor this civil rights icon.

Scipio Jones was born in 1863 near Tulip, Arkansas. He would later argue two civil rights cases before the Arkansas Supreme Court.

Mr. Speaker, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 3317, introduced by my good friend, Representative FRENCH HILL.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Arkansas (Mr. HILL).

Mr. HILL of Arkansas. Mr. Speaker, I thank my friend from North Carolina, (Mr. MEADOWS), for his help in shepherding this bill through the committee.

I am grateful, too, to our late, good friend Elijah Cummings for his support and the opportunity to thank him on the floor for his service in the House.

Also, I thank my good friend from Michigan (Mrs. LAWRENCE) for her support of this measure.

Mr. Speaker, in 1919, American doughboys returning from the European front and its brutality were committed to benefiting from the opportunity and liberty they secured at great risk and sacrifice to themselves. Many took that commitment to auton-

omy and freedom home to small towns and communities and homesteads where their families and livelihoods remained.

Just over 100 years ago, as September bled over into October in 1919, few eyes in this country were turned to a small agrarian community in northeast Ar-

kansas. There, Black sharecroppers, spurred in part by the tales of opportunity and liberty spun by these returning brave veterans of the war to end all wars, dared to discuss fair pay for their crops.

To this day, an accurate account of the tragic loss of life that took place during the Elaine massacre, when White mobs killed more than 100 Afri-

can Americans, remains widely un-

known.

But of the heroic stories that emerged from the ashes of the Elaine massacre was that of Scipio Africanus Jones, one of the great lawyers in Ar-

kansas history. Jones’ skillful legal de-

fense saved the lives of 12 unfairly charged sharecroppers from the Elaine massacre who were originally sen-
tenced to death by an Arkansas State court.

Jones’ actions resulted in the landmark Supreme Court decision in Moore v. Dempsey, establishing that Federal courts could review criminal convic-
tions in State courts under the Due Process Clause of the Fourteenth Amendment.

Mr. Speaker, I am pleased that this legislation today that I have sponsored to honor his legacy, the Scipio A. Jones Post Office Portrait Act, is being considered on the House floor.

Today’s measure is a simple one. It authorizes a portrait of Scipio Jones to be displayed at the U.S. Post Office in Little Rock, Arkansas, that bears his name. It has the support of the entire Arkansas delegation.

Scipio Jones’ fight for civil rights and equality is an important part of Arkansas’ history and something that we are deeply proud of in our State.

The Elaine massacre had a profound impact on the soul of our State that can be felt a century later. However, history always teaches us that we can learn from our past. We have an opportunity, today, with this legislation, to write a new chapter on Arkansas history that recognizes the legacy of the tragedy, honors the victims, and seeks to heal longstanding wounds. I am de-
lighted to draft and sponsor this bill that helps accomplish that goal.

Our friend from North Carolina, the late Elijah Cummings, I am grateful for their help and the staff of the Com-

mittee on Oversight and Reform. I ap-

preciate it for its quick markup, and I am grateful for the support.

Mr. Speaker, I urge this measure’s passage.

Mr. MEADOWS. Mr. Speaker, I urge the bill’s passage, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I urge support for the passage of H.R. 3317, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) to suspend the rules and pass the bill, H.R. 3317.

The question was taken; and (two-thirds being in the affirmative) the motion passed.

There was no objection.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4279, to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the Melinda Gene Piccotti Post Office.

Today’s measure is a simple one. It authorizes a portrait of Scipio Jones to be displayed at the U.S. Post Office in Little Rock, Arkansas, that bears his name. It has the support of the entire Arkansas delegation.

Scipio Jones’ fight for civil rights and equality is an important part of Arkansas’ history and something that we are deeply proud of in our State.

The Elaine massacre had a profound impact on the soul of our State that can be felt a century later. However, history always teaches us that we can learn from our past. We have an opportunity, today, with this legislation, to write a new chapter on Arkansas history that recognizes the legacy of the tragedy, honors the victims, and seeks to heal longstanding wounds. I am de-
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Our friend from North Carolina, the late Elijah Cummings, I am grateful for their help and the staff of the Com-

mittee on Oversight and Reform. I ap-

preciate it for its quick markup, and I am grateful for the support.

Mr. Speaker, I urge this measure’s passage.

Mr. MEADOWS. Mr. Speaker, I urge the bill’s passage, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I urge support for the passage of H.R. 3317, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) to suspend the rules and pass the bill, H.R. 3317.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Melinda Gene Piccotti Post Office

Mrs. LAWRENCE. Mr. Speaker, I urge the bill’s passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) to suspend the rules and pass the bill, H.R. 3317.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SECTION 1. MELINDA GENE PICCOTTI POST OFFICE

(a) DESIGNATION.—The facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, shall be known and designated as the “Melinda Gene Piccotti Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Melinda Gene Piccotti Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mrs. LAWRENCE) and the gentle-

man from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentle-

woman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and in-
clude extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4279, to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the Melinda Gene Piccotti Post Office.

I thank FRED KELLER, a distin-

guished member of the Committee on Oversight and Reform, for this measure to honor a distinguished military vet-

eran.

Mr. Speaker, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 4279, introduced by Representative KELLER. Cer-

tainly, his leadership on this is to be applauded.

I also thank the gentleman from Michigan (Mrs. LAWRENCE) for her willingness to not only lead on this, but manage the floor for Chairwoman MALONEY.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman from North Carolina.

Mr. Speaker, I rise today to urge my colleagues to support H.R. 4279, to name the post office in Laceyville, Wy-

oming County, Pennsylvania, after Melinda Gene Piccotti.

A native of Pennsylvania’s 12th Con-

gressional District, Mindy was an Air Force veteran who knew the struggles of combat veterans and wounded sol-

diers. She knew the struggles they faced when returning home from duty. Mindy passed in 2009, at the age of 60. Mindy highlighted her commitment to our Nation’s Armed Forces by founding Hunts for Healing, based out of Laceyville.
Mindy founded Hunts for Healing to help wounded soldiers returning from military missions in Iraq, Afghanistan, and other combat missions transition back into civilian life, allowing them to experience the joys of hunting, including social interaction and camaraderie.

With the assistance of volunteer guides and funded entirely by private donations, Hunts for Healing helps veterans in need of physical, spiritual, and emotional support. In Lanceville, to the veterans she has helped and their families and loved ones, Mindy is nothing short of a hero.

For the impact of her life and for her continued legacy to the veterans’ community, I urge members to support H.R. 4279 to name the post office in Lanceville, Pennsylvania, for Melinda Gene Piccottti.

Mr. MEADOWS. Mr. Speaker, I urge adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina controls the time of the gentleman from New Jersey (Mr. LAWRENCE) that the House suspend the rules and pass the bill (H.R. 4044).

Mr. MEADOWS. Mr. Speaker, I urge the gentlewoman from Michigan (Mrs. ROGERS) that the House suspend the rules and pass the bill, H.R. 4279.

The SPEAKER pro tempore. Pro- motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motions to suspend the rules and pass:

- H.R. 4044;
- H.R. 4031; and
- H.R. 2382.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROTECT AND RESTORE AMERICA’S ESTUARIES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4044) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. MALINOWSKI) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 355, nays 62, not voting 12, as follows:

[Table of votes]

The vote was taken by electronic device. This is a 5-minute vote.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. MALINOWSKI) that the House suspend the rules and pass the bill (H.R. 4044) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, as amended, on which the yeas and nays were ordered.

Not voting 12, as follows:

[Table]

NOT VOTING—12

Messrs. MEADOWS, JACOBY of Pennsylvania, KEVIN HERN of Oklahoma, COMER, PALMER, and WEBER of Texas changed their vote from “yea” to “nay.”

Messrs. GUTHRIE, GAETZ, and WILLIAMSON of South Carolina changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4031) to amend the Federal...
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 45, not voting 11, as follows:

(Roll No. 37)

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
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<tbody>
<tr>
<td>373</td>
<td>45</td>
<td>11</td>
</tr>
</tbody>
</table>

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

USPS FAIRNESS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2382) to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes, on which the yeas and nays were ordered.
REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 826, EXPRESSING DISAPPROVAL OF THE TRUMP ADMINISTRATION’S HARMFUL ACTIONS TOWARDS MEDICAID; PROVIDING FOR CONSIDERATION OF H.R. 2474, PROTECTING THE RIGHT TO ORGANIZE ACT OF 2019; AND PROVIDING FOR CONSIDERATION OF H.R. 5687, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF AND FUERTO RICO DISASTER TAX RELIEF ACT, 2020

Mr. DESAULNIER, from the Committee on Rules, submitted a privileged report (Rept. No. 116-392) on the resolution (H. Res. 833) providing for consideration of the resolution (H. Res. 826) expressing disapproval of the Trump administration’s harmful actions towards Medicaid; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1969, and for other purposes; and providing for consideration of the bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKING A TECHNICAL CORRECTION TO THE SPC SEAN COOLEY AND SPC CHRISTOPHER HORTON CONGRESSIONAL GOLD STAR FAMILY FELLOWSHIP PROGRAM ACT

Ms. LOFGREN, Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 67) providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 67
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John Fahey of Massachusetts on February 20, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 20, 2020, or the date of the enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REAPPOINTING RISA LAVIZZO-MOUREY AS CITIZEN REGENT OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Ms. LOFGREN, Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 67) providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 67
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Risa Lavizzo-Mourey of Pennsylvania on February 21, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 21, 2020, or the date of the enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Secretary be directed to communicate to the Secretary of State, as
provided by rule XXIII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the Case of Donald John Trump, and transmit a certified copy of the judgment to each.

JUDGMENT

The Senate having tried Donald John Trump, President of the United States, upon two Articles of Impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained there-in: It is, therefore,

Ordered and adjudged, That the said Donald John Trump be, and he is here- by, acquitted of the charges in said articles.

REMOVAL OF NAME OF MEMBER AS COPSPONSOR OF H.J. RES. 25

Mr. SPANO. Mr. Speaker, I ask unanimous consent to be removed as co-sponsor of H.J. Res. 25.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

Mr. LANGEVIN. Mr. Speaker, I rise to recognize National Gun Violence Survivors Week and the countless Americans whose lives have been impacted by gun violence across the country.

This issue is personal to me, as it is for so many others. When I was 16 years old, as a young police cadet, an accidental gunshot left me paralyzed. Last week, I had the honor of spending time with former Congresswoman Gabby Giffords, our colleague, in my home State of Rhode Island. Gabby’s life was forever changed by a gunman in 2011, but she never stopped fighting. She spoke of the courage it takes to stop gun violence, courage that embodies every single day.

So, to the parents, children, students, teachers, and countless others who have lost loved ones to gun violence or faced gun violence themselves, I encourage you to keep fighting. Together, we can reform our gun laws and keep guns out of the wrong hands and save others from tragedy.

OFFICIAL COPY OF PRESIDENT’S STATE OF THE UNION ADDRESS

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, we heard a great speech by the President last night, who spoke to the strength of our country and the courage and character of our fellow citizens.

People like 100-year-old Tuskegee airman Retired Brigadier General Charles McGee and his great-grandson, the 13-year-old who dreams of going to space;

People like single mother Stephanie Davis and her lovely fourth grade daughter who received an Opportunity Scholarship. Who in this room does not remember the look on Stephanie’s face as she realized that her daughter was going to get an opportunity that she sacrificed so greatly for;

And people like Sergeant First Class Townsend Williams, who surprised his wife, Amy, and two beautiful children in the gallery last night.

As I looked around, I saw tears in many people’s eyes from the emotion that they felt at that time.

Unfortunately, Speaker PELOSI was unmoved and chose to tear up the House copy of that speech. She had no right to destroy this document, especially one filled with such impactful stories of American patriots.

The record was presented before the people’s House and it belongs to the American people. That is why I am here today.

In my hand, I have an official copy of the President’s State of the Union address signed by the President, given to me at the White House today. It will be delivered to the House Clerk to be archived and preserved for posterity, whether she likes it or not.

These great American stories will be remembered by history, not erased by the Speaker. We are better because of them, and we should learn from them and we should be proud that they will shape our future.

□ 1800

REACTION TO PRESIDENT’S STATE OF THE UNION ADDRESS

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, obviously, each of us had our own reaction to the speech that was given by the President last night. He had every right under the First Amendment to say what he believed, what he was going to do, and what he wanted us to do.

I suggest to you that if I took this card and tore it up because I didn’t like what was on the card, I am protected by the First Amendment in doing that. That is a form of speech. If the effort is to shut one another up, perhaps we will go down that road.

But, clearly, most of you in this House, or at least some of you in this House, have said an act of destroying things that the leader alleges are property of the House—I will ask for a ruling on that, Mr. Speaker, in just a minute—to get an opportunity of disagreement.

It is not an assertion, per se, that what was said was wrong, disagreed with, or anything else. It was not an outcry to the President of the United States that “You lie” that clearly under mined the decorum of this House.

Frankly, I did not see the Speaker tear that up. I have seen it on television. It has been played, but I would suggest to you very seriously—well, whether anyone saw it or not—that is not my argument. My argument is, if each of us watches closely on the floor each of our actions and we deem those actions to be disrespectful, either to the Speaker, that is, the Speaker at the rostrum or from the microphones behind the desk, do we bring a resolution that that was disrespectful?

Each of you who say “yes,” well, I will watch very closely, and we will go back and forth, and that will not be a good precedent because it will undermine the premise of the First Amendment that action is speech.

Now, an action that is criminal, an action that defames, an action that brings the House into disrepute, that is another issue. But an action which says: “I feel this way” should be protected. Now, not necessarily agreed with, maybe even subject to criticism, but certainly, not subject to a resolution.

This resolution will not go forward, of course, because I will move to table it if it is offered because I believe it undermines the First Amendment and the House.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. GRANGER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I seek recognition to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

House Resolution 832.

Whereas on December 20th, 2019, Speaker PELOSI extended an invitation for President Trump to address a joint session of Congress on February 4th, 2020;

Whereas on February 4th, 2020, President Trump delivered his State of the Union address in which he honored the sacrifice of the following American heroes and their families:

General Charles McGee, one of the last surviving Tuskegee airmen, who served in World War II, the Korean war and the Vietnam war;

Kayla Mueller, a humanitarian aid worker who was caring for suffering civilians in Syria when she was kidnapped, tortured and enslaved by ISIS for over 500 days before being murdered by ISIS leader Abu Bakr al-Baghdadi;

Army Staff Sergeant Christopher Hake, who was killed while serving his second tour of duty in Iraq by a roadside bomb supplied by Iranian terrorist leader Qassem Soleimani;

Sergeant First Class Townsend Williams, who is currently serving his fourth deployment in the Middle East.
and his wife, Amy, who works full-time for the Army and devotes hundreds of hours helping military families;

Whereas immediately following the address, while still presiding over the joint session, Speaker Pelosi ripped up an official copy of the President’s remarks, which contained the names and stories of these patriots who sacrificed so much for our country; and

Whereas the conduct of Speaker Pelosi was a breach of decorum and degradation of the proceedings of the joint session, to the discredit of the House: Now, therefore, be it.

Resolved, That the House of Representatives disapproves of the behavior of Speaker Pelosi during the joint session of Congress held on February 4, 2020.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Texas will appear in the Record at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PARLIAMENTARY INQUIRIES

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, the majority leader asserted in his comments that the document in question was the property of the House.

Was, in fact, the document that the Speaker had to read the property of the House?

The SPEAKER pro tempore. The message is part of the proceedings of the House and can be used by the House for archival and printing purposes.

Mr. HOYER. Mr. Speaker, an additional question.

The SPEAKER pro tempore. The Speaker, after the President had spoken the State of the Union and delivered to the Congress of the United States, at the end of that session, I moved that that document be enrolled in the House proceedings of last evening.

Am I to understand from the ruling that that document was specifically the document that would have been enrolled?

The SPEAKER pro tempore. The motion was adopted.

Mr. HOYER. Yes.

The SPEAKER pro tempore. And the document to use that document.

Mr. HOYER. That document did not exist according to the assertion of the Republican leader. It was destroyed.

The SPEAKER pro tempore. The message is part of the proceedings of the House and can be used by the House for archival and printing purposes. The gentleman has addressed the printing of the document.

Mr. HOYER. Mr. Speaker, I don’t think that answered my question.

My question was: Was the document that was destroyed or torn apart, the document that was to be enrolled by the House pursuant to my motion?

The SPEAKER pro tempore. The House is able to use that document and other materials to fulfill the order of the House.

Mr. McCARTHY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. McCARTHY. Mr. Speaker, to clarify, was that document provided from the President to the Speaker of the House, the document of the House?

The SPEAKER pro tempore. It is part of the proceedings of the House and can be used by the House for archival and printing purposes.

Mr. McCARTHY. So to be clear, your answer is: That is a document of the House, and the President provides one to the Speaker for the House, and the President provides one to the President of the Senate, the Vice President, for the Senate?

The SPEAKER pro tempore. The document was printed as a document of the House upon order of the House.

Mr. McCARTHY. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. McCARTHY. Mr. Speaker, you clarified that is a document of the House. Can you clarify that is not a document for the Speaker, but a document for the House?

The SPEAKER pro tempore. The document is used as part of House proceedings and can be used for archival and printing purposes.

Mr. McCARTHY. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. McCARTHY. Did the Speaker have any history in past State of the Unions where that document provided to the Speaker has not been enshrined in the Record?

The SPEAKER pro tempore. Respectfully, the Chair will not act as a historian.

Mr. BRADY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas will state his parliamentary inquiry.

Mr. BRADY. Mr. Speaker, in 2009, the majority leader, now Mr. HOYER, led a formal rebuke of South Carolina Representative Joe Wilson defending the “rules of the House and enforcing the traditional decorum of the Chamber.”

At the time, Mr. HOYER said: “This House cannot stay silent. What is at issue here is important to the House and of importance to the country.”

My parliamentary inquiry is——

The SPEAKER pro tempore. Respectfully, the gentleman is engaged in debate. The Speaker may address this during 1-minute speeches.

Mr. BRADY. Is the Speaker of the House?

The SPEAKER pro tempore. The gentleman is engaged in debate.

Mr. BRADY. Mr. Speaker, I asked for a parliamentary inquiry, and the question is this: Is the Speaker ripping up
the President’s State of the Union speech on national TV considered the proper decorum of the House?

The SPEAKER pro tempore. The Chair will not give an advisory opinion. The House may address this matter in the format of 1-minute speeches.

REMEMBERING BONNIE DUVALL

(Ms. MUCARSEL-POWELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MUCARSEL-POWELL. Madam Speaker, getting back to the business of the people, this week is National Gun Violence Survivors Week when we honor and remember the lives that we have lost to gun violence, those whom we have loved and miss terribly, people like my father, Guido Mucarsel; Jaime Guttenberg; De’Michael Dukes; Joaquin Oliver; Tel Orfanos; Jerry Wright; and all of their loved ones who now must live with the pain forever.

The fact that 58 percent of Americans or someone they know has experienced gun violence in their lifetime. The number of gun violence survivors increases in each passing day, tragedy after tragedy. The mental and emotional toll on survivors is immense, and many people are thrust into financial hardship.

These are experiences that no one chooses to endure. We must not only remember those who have died but also those who have survived and do all we can to help them in their never-ending journey toward healing.

To all of those who are remembering a loved one this week, we stand with you.

DEFEND AMERICAN HEALTHCARE SYSTEM

(Mr. O’HALLERAN asked and was given permission to address the House for 1 minute.)

Mr. O’HALLERAN. Madam Speaker, I rise today in defense of the American healthcare system.

Last week, the administration proposed a new demonstration program that would allow States to apply for block grants. These would permit States to slash funding for their Medicaid programs, reduce protections for beneficiaries, and restrict eligibility standards. A recent study by George Washington University found that these changes would also result in community health centers treating 5 million fewer patients over the next 4 years.

This is unacceptable. Federal law already gives Medicaid flexibility to change from State to State. These proposed block grants are nothing more than cuts to funding for the program.

Today, I urge my colleagues to join me in voting for a resolution condemning these proposed changes as what they are: attacks on our healthcare system and those with pre-existing conditions.

HONORING RONNIE SPRINKLE

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

Mr. CLINE. Madam Speaker, I rise today to honor Sheriff Ronnie Sprinkle, who began his service as the sheriff of Botetourt County nearly two decades ago. When Ronnie was just 6 months, his father was elected as Botetourt County sheriff and held the position for 30 years, retiring in 1991. Eight years later, the junior Sprinkle followed in his dad’s footsteps and was elected to the position he held until retirement last month.

Save the 8 years between his father’s retirement and Ronnie’s election, 2020 will mark the first time since the heart of the Vietnam war that a Sprinkle has not led the Botetourt Sheriff’s Office.

I want to thank Sheriff Ronnie for his years of service to our community and congratulate him on all he has accomplished during his tenure. His tireless work to secure funding for a new public safety building and jail will not be forgotten.

The risks and responsibilities that come with being a law enforcement officer are many, and I want to express my sincere gratitude to Ronnie Sprinkle for his unwavering commitment to Botetourt County and all our men and women in blue.

PASS COMPREHENSIVE GUN REFORM

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

Mr. JOHNSON of Georgia. Madam Speaker, today, I rise in recognition of National Gun Violence Survivors Week.

Last month, with the leadership of my House colleagues and Senator Elizabeth Warren, I was proud to introduce the Gun Violence Prevention and Community Safety Act, the most comprehensive piece of gun reform legislation this Chamber has ever seen.

We will mandate universal background checks, which will help keep guns out of the hands of those who should not have them. We will crack down on gun trafficking. And we will hold the gun industry accountable for putting profits over the safety of the American people.

I promise today to fight so that not one more American is burdened with living as a gun violence survivor because of irresponsible, outdated, and morally bankrupt Federal gun policies.

BRI FOLDS GOES PRO

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

Mr. SPANO. Madam Speaker, today, I rise to honor a talented young lady from my district.

Bri Folds, a Lakeland Christian and Auburn grad, was drafted in the fourth round of the 2020 National Woman’s Soccer League draft by the North Carolina Courage.

Ms. Folds is the first player from Polk County to be drafted by the National Women’s Soccer League. Folds was a two-time Lakeland Ledger Player of the Year, with 173 goals and 155 assists while at Lakeland Christian.

She finished her college career ranked seventh all-time at Auburn in assists, eighth in goals, and tied for fifth in game-winning goals with nine.

I am extraordinarily proud of her dedication and drive. It is important that our community continues to invest in future generations to produce stars and leaders like Ms. Folds. Players like her will influence young girls for years to come.

I encourage all of District 15 to join me in cheering on Bri Folds when the 2020 NWSL season begins in March.

REPEAL PREFUND MANDATE ON USPS

(Ms. TORRES SMALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)
Ms. TORRES SMALL of New Mexico. Mr. Speaker. I rise in support of H.R. 2382, the USPS Fairness Act, which passed today with large bipartisan and union support. I was proud to lead this bill with my friends and colleagues, Chairman Peter DeFazio and Representatives Brian Fitzpatrick and Tom Reed.

The USPS Fairness Act will repeal the mandate for the United States Postal Service to prefund future retiree health benefits. No other government agency or private business is plagued with a mandate like this. Since 2006, the prefunding mandate has wreaked havoc on USPS’s finances, costing the agency $3.4 billion each year.

I represent one of the most rural districts in the Nation, and in southern New Mexico, post offices and postal workers are an integral part of our communities, connecting businesses to customers, pharmacies to patients, and families to friends spread across our vast territory.

Congress created this prefunding crisis, so I am pleased the House of Representatives took the first step to solve it. I ask that the Senate take the next step with us.

HONORING CHIEF DANIEL SPIEGEL

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

Mr. VAN DREW. Mr. Speaker. I would like to honor Chief Daniel Spiegel on his retirement from the Wildwood Fire Department.

Daniel spent 28 faithful years with the fire department, where he had served as chief since 2016. Daniel has the distinct honor of holding every rank in the fire department. Daniel’s father also served as fire chief in Wildwood, the second-ever father-son chief in the department’s history.

Daniel served in the New Jersey Task Force 1 Urban Research and Rescue and responded to the September 11 terrorist attacks, searching for survivors. He was the team leader for the Cape May County Regional Urban Search and Rescue Team, which serves all of Cape May County.

Danny was always focused on training. He trained thousands of firefighters in our entire region.

He is planning to spend more time with his wife, daughter, and two stepsons in retirement.

I thank Daniel for his service; his community thanks him for his service; and his country thanks him for his service.

Daniel, may God bless you. You are truly one of our heroes.

FIGHT FOR JUSTICE

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

Ms. JACKSON LEE. Madam Speaker, our emerging Nation sought to be a bright light for democracy and the rule of law. This afternoon, I sat in the Senate Chamber and watched the Senate vote on one by one announce the words guilty or not guilty: Article I, guilty 48, not guilty 52; Article II, guilty 47, not guilty 53. I believe the presentation of the Judiciary, Oversight, Intelligence, and Foreign Affairs Committees was brilliantly presented.

I wondered whether there would be one moment for a profile in courage. I believe that understanding that the very form of this Nation cannot tolerate what the Framers were most frightened about, which was the constitutional crime of abuse of power or having a sovereign nation interfere with our elections. Yet, there was one in Article I that made it bipartisan in the guilt, but no one in Article II.

Simply stated, now what is the answer? That this Nation no longer loves its democracy; does not stand by the rule of law; and, therefore, the person who remains in office is a king?

I believe, Madam Speaker, that we must raise the Constitution and fight for justice.

DECORUM AND MAINTAINING CIVILITY IN THE HOUSE

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

Mr. PALMER. Madam Speaker, I rise to note, in regard to the assertion of the majority leader that the act of destroying the House copy of President Trump’s State of the Union speech was speech protected under the First Amendment, I rise to assert that not all speech protected under the First Amendment is allowable under the rules of the House.

Moreover, the act of destroying the House copy of President Trump’s State of the Union speech diminishes the decorum that is critical to maintaining the civility that is expected of every Member, including and especially the Speaker.

TAKE ACTION FOR GUN VIOLENCE SURVIVORS

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

Mr. LEVIN of Michigan. Madam Speaker, during National Gun Violence Survivors Week, I rise to recognize my State of the Union guest, Mary Miller-Strobel, from my hometown of Berkeley, Michigan.

After her brother, Ben, was honorably discharged from the military, Mary grew concerned that Ben was at risk of self-harm. Mary and her father drove to every gun store in their small town, begging them not to sell Ben a gun. But they had no legal recourse to block a store from selling Ben the gun that would end his life. Ben died by suicide soon thereafter.

Had Mary been able to seek an extreme risk protection order, Ben might still be alive today.

Mary is now a Moms Demand Action leader and has turned her tragedy into a triumphant story of fighting to prevent other families from suffering this tremendous and preventable loss.

The House has passed commonsense gun violence legislation, and we will pass red flag legislation, too. Now, we need the Senate to act, for Mary and Ben, and for so many others.

SUPPORT OF U.S. POSTAL SERVICE FAIRNESS ACT

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

Ms. KAPTUR. Madam Speaker, I rise in strong support of H.R. 2382, or the U.S. Postal Service Fairness Act up for a vote today.

Madam Speaker, 13 years ago, the Postal Service was saddled by this body when we required it—not with my support—to prefund its retirement benefits. Unfortunately, this prevented the Postal Service from addressing critical equipment modernization needs.

Thankfully, this legislation allows us to correct this misguided requirement.

The post office is a constitutionally mandated institution. A sense of community is sustained every time the mailwoman or mailman delivers a letter, increasing connectivity in rural and urban districts alike. The Postal Service delivers close to 190 million pieces of mail every single day and is a testament to American ingenuity. Indeed, postal workers are the best ambassadors, receiving an overwhelmingly high public approval rating of 74 percent.

While we work to ensure the post office’s financial health, we must also continue to increase innovation, such as through modernizing postal services. For example, creative initiatives could increase access to basic functions in post offices and underserved communities.

I thank my friend, Representative Peter DeFazio, for his true leadership on this bill, and urge all my colleagues to support its passage, and thank those who did.

PROTECTING THE RIGHT TO ORGANIZE ACT

The SPEAKER pro tempore (Ms. Torres Small of New Mexico). Under the Speaker’s announced policy of January 3, 2019, the gentleman from Michigan (Mr. Levin) is recognized for 60 minutes as the designee of the majority leader.

Mr. LEVIN of Michigan. Madam Speaker, I rise today to talk about the Protecting the Right to Organize Act, a crucial piece of legislation that we will take up tomorrow on the floor of this House. It is so important that
Madam Speaker, I rise today to celebrate the role that organized labor has played in improving the lives of countless working men and women across this country.

Labor unions have been the driving force for all positive change for workers in modern history. As a former union member myself, I can attest to the power that workers wield when they exercise their right to organize. And I have seen the incredible work that unions in Minnesota have accomplished when they came together to fight for working rights.

On average, a worker covered by a union contract, earns over 13 percent more in wages than someone with similar education, occupation, and experience in nonunionized workplaces. And unions are about so much more than wages. They create solidarity between workers across gender, race, ethnicity, and religion. That is why we need the PRO Act. It is a crucial step to strengthening labor rights so that we can help shepherd through a new generation of victories for working unions and members.

Madam Speaker, I am delighted for our chairman and vice chairman of the Committee on Education and Labor for their work in championing labor rights on behalf of American workers.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative OMAR for being such a champion of workers in Minnesota and throughout this great Nation and, indeed, throughout our world.

Madam Speaker, I will take a few moments to talk about the breadth of this bill.

What has happened to workers in this country over the last several decades is the result of many administrative actions by various administrations, regulatory actions that administrations have taken that have eroded workers’ rights, judicial decisions from the lower courts all the way up to the Supreme Court, and laws passed by the Congress and the States, to the point where millions and millions of workers who comply with the National Labor Relations Act, can’t even exercise their rights under the National Labor Relations Act, and the rights that they have are so badly eroded that, functionally, workers don’t have the freedom to form unions in this country.

And Representative Omar referenced Chairman SCOTT. Chairman SCOTT and the staff of this committee have done such an incredible job at looking at the complexity of the workplace in 2020 and including the many ways in which we need to make changes to help workers.

I want to highlight several things: The first is the problem of multiple employers and protecting employees of multiple employers.

The PRO Act will make it so that two or more persons are employers under the National Labor Relations Act, if each codetermines or shares control over the employees’ essential terms and conditions of employment. It basically codifies the joint employer standard in the NLRB’s Browning-Ferris decision of 2015. And this is extremely important because in a lot of industries, employers have tried to evade their responsibility to workers under the National Labor Relations Act through various schemes of corporate organization so that the company that really is the employer realy determines what uniform they wear, what route they drive, what kind of products they serve, everything about their job, is not considered an employer under the act.

The PRO Act will fix that, and it is very important to help millions of workers get their rights under the NLRA.

Another huge problem of excluding workers from accessing their rights is employers classifying workers as independent contractors.

The PRO Act will fix this problem by using a simple three-part test to determine whether someone is an employee or an independent contractor. And this will help, again, another set of millions of workers gain access to their rights and clarify that they are covered as workers, as employees under the National Labor Relations Act. So they can form a union, bargain collectively, get a contract, and striking.

Another major area of the law involves protecting workers in their right to engage in protected activities. So let’s talk about workers going on strike.

The PRO Act will prohibit employers from permanently replacing workers who go on strike. This is hugely important, because permanent replacement of strikers has been a tactic used over the last, really, 40 years to deter workers engaging in this activity and taking away this very core right of withholding your labor as a way to try to get better working conditions.

I remember what happened, in for example, the meat packing industry, which used to be a largely unionized industry. And the workers’ organizations were largely destroyed by preventing workers from engaging in strikes, to the point where their wages and benefits were cut massively and many of their facilities were moved, and they couldn’t do anything about it.

Another thing that the PRO Act will do is prohibit offensive lockouts. Under current law, employers may offensively
lock out employees in the absence of a threatened strike with the goal of the employer being to curtail the workers’ ability to strike by removing workers control over the timing and duration of a work stoppage. Current law also permits employers to hire temporary replacements during an offensive lockout. So if the employer thinks there might be a labor dispute, even if the workers hadn’t planned to go on strike, they lock the workers out and temporarily replace them, stripping them of their ability to work to make their own strategy about how they want to enforce their right under the act.

The PRO Act prohibits any lockouts prior to strike but it maintains employers’ rights to respond to strikes with defensive lockouts, which is appropriate.

Another key change that the PRO Act would put into law after all these years from the Taft-Hartley amendment limitations on secondary strikes. The idea here is that the Congress in 1947 said that workers of one company can’t engage in collective activity in solidarity with workers in another company. Workers might picket or support a boycott in solidarity with other workers to improve the other workers on their own, perhaps, wages and working conditions.

Being allowed to protest however you want in America about what some other company might be doing is a fundamental First Amendment right.

The PRO Act would fix this by allowing employers to have their full freedoms to engage in secondary activity.

A crucial thing that the PRO Act would do to help workers vindicate their rights under the National Labor Relations Act is prohibiting captive audience meetings.

So it is hard for people who haven’t been through a union organizing campaign to really understand how absurd it is to claim that a union election is sort of just like a political election, where you go down to the local school or church or wherever you vote, and you get in line and they check whether you are on the voting rolls, and you cast your ballot in a little booth. You wouldn’t dream of putting your job at risk or that anybody could do something to you for how you vote in America; it is a core thing.

That is not how it works in a union election. And one of the things that employers have been allowed to do is they can force you to attend a meeting, the sole purpose of which is to pressure you not to vote for a union. They can do that every time you go to work. They do it for your whole shift.

If you say, “I have been to five of your presentations about the union; I don’t want to go anymore,” you can be fired for not going to the employer’s propaganda offensive against forming a union. It is something, without parallel, in American law and in our economy only to prohibit or try to prevent workers from forming a union.

So the PRO Act will change this at long last and say that people have their First Amendment rights, we are all grownups here, and your employer cannot make you go to an antiunion captive audience meeting on pain of termination.

I am sorry it took until 2020 for us to get to this point, but at long last we are seeing captive audience meetings have no place in workers’ decisions about forming unions.

There are a lot of other really important provisions I want to get to, but at this time I want to invite my esteemed colleague from the great State of Massachusetts, Representative AYANNA PRESSLEY, to join in this discussion of why it is so important that we pass the Protecting the Right to Organize Act.

Madam Speaker, I yield to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Madam Speaker, today I rise in solidarity with my union brothers and sisters in support of the Protecting the Right to Organize Act.

Over the last few decades, we have seen the right to unionize, to ban together, and to fight for the collective rights and dignities of working people come under attack.

Throughout our Nation’s history, these rights and protections have led to better wages and benefits, safer working conditions, and protections from workplace harassment and discrimination.

The hard-fought battles of our Nation’s unions have helped push back against the vast economic inequities that too often are fueled by the greed of big corporations and special interests.

I have witnessed many of these victories firsthand, from my early days on the picket line with my mother, Sandy—may she rest in power—who taught me early on that our destinies are tied, that workers’ rights are human rights, and that economic justice is workers’ justice.

This is still true today, and the fight continues, from the Stop & Shop workers, who walked out and fought back for better healthcare for workers and their families, to the Battery Wharf Hotel workers, who braved the elements for 79 days fighting for livable wages and protections for immigrant workers, pregnant workers, and workers of color.

We cannot and must not take this power for granted.

But for too many workers, “right-to-work laws” and other calculated efforts in States across the country have attempted to diminish the power of workers. This enters this week as the Congress considers the PRO Act, legislation that will protect critical rights to unionize and protect the rights of workers.

Madam Speaker, I thank Representative BOBBY SCOTT for his leadership on this bill to honor and affirm a union’s right to their collective voice. I also thank my colleague, my brother from Michigan, for organizing this effort.

Madam Speaker, I look forward to supporting this bill, and I urge my colleagues to do the same.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative PRESSLEY for being such a champion for workers in Massachusetts and in our whole country.

Madam Speaker, I now yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I want to definitely thank my colleague from Michigan and also my colleague from Massachusetts for being here to support workers.

The right in the form of the labor movement that brought us the middle class. The height was really after World War II, where we saw that wages were going up for everyone—the wealthiest, the middle class, poor people could get jobs that would get them out of poverty—and the labor movement, the right of workers to organize, made the difference, to fight together, work together for better wages and working conditions.

So, today, I rise in enthusiastic support before the House of Representatives for H.R. 2474, the Protect the Right to Organize Act, for a vote that is going to take place tomorrow in the House of Representatives.

The right to form a union, which has been eroded over the last several decades, and the right to take collective action in the workplace and the right to exercise one’s First Amendment rights in the form of secondary boycotts are fundamental, and it is past time that we as Americans promote their values.

For too long, employers have been able to violate the National Labor Relations Act with impunity, routinely denying workers their basic right to join with coworkers for fairness on the job. As a result, the collective strength of workers to negotiate for better pay and for better benefits has eroded, and income inequality in the United States of America has reached levels that predate the Great Depression.

What is worse is that this is a rather predictable outcome. It is not surprising if workers don’t have the right to organize because they are not going to go up.

But I want to share a story. It is a story of a woman named Yiran Zhang. She is a graduate worker at Loyola University in my district, in Chicago, Loyola.

Yiran Zhang’s parents raised their child to be a believer that education was the path to a better life. They moved to the United States from China when she was almost 2 years old. So they have grown up here. Her parents moved to the United States to earn their Ph.D.’s and work as graduate workers.
Years later, Yiran decided to follow in her parents' footsteps by pursuing a Ph.D. The philosophy major quickly learned that a lot has changed in the world since her parents were graduate workers like she is now.

We're fighting to make a living. The expectations and the conditions in higher education are so different.

The expectations of the job, she means, are the same.

She says:

As a graduate worker, I've had to miss paying bills at the end of the month, and even work two or three additional jobs to cover living expenses. I'm fighting for a union because I know it is only by standing together with my colleagues that we can change any of this.

So Yiran and other Loyola graduate workers came together to form a union to make improvements in the school's administration. They found that the administration actually dismissed them and used the legal system to fight their efforts.

Yiran sees unions as the only way for graduate workers to be heard. I actually stood with them at a demonstration, and she said:

I've seen that the only way that we've been able to get our administration to listen is by doing sit-ins and walkouts and taking action together. Teachers across the country and people who work at things like Stop & Shop have had the same experience.

In addition to having a seat at the table, Loyola graduate workers are fighting for a higher stipend and the establishment of summer funding, which will give them the ability to do important research and writing over the summer instead of having to take on multiple part-time jobs just to make ends meet. They also want more professional support, including clear grievance procedures and accountability.

So, for young women like Yiran, the ability to join and unionize would mean that she would be able to truly build on the foundations started by her parents. She says:

I'm fighting for a living wage, respect for my labor, and a better life. I shouldn't have to seek outside work up to 30 hours a week on top of my graduate worker hours just to make ends meet at the cost of finishing my program on time or being the best scholar and educator that I can be. Academia shouldn't be just for the privileged. Negotiating a fair contract with graduate workers is the best step toward addressing these harmful systemic issues.

I am going to quit. I have taken more than my time, I think. But I wanted to give you a true-life example of a woman who is trying to do her best in her job as a student worker, as a graduate worker, and because she can't organize, she can't get the benefits and the wages that she deserves. This is typical of what is going on in our country and is creating the income inequality that we right now.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative SCHAKOWSKY for her words. I am so glad she shared that story from Loyola. It reminds me of another situation of graduate employees that many of us, our colleagues, are working on right now.

Graduate employees of Harvard, in all kinds of labs, in the social sciences and in the arts, all the different departments, formed a union and were recognized and retroactively bargained with the Harvard administration, but they have never achieved a first contract.

I think something like over 20 colleagues joined me in sending a letter to the president of Harvard University, 20- some of us who work in labs. I am a graduate of Harvard Law School, and other people are graduates from the law school, undergraduates from Harvard University, the Kennedy School, doctors, whatever.

We all sent a letter to President Bacow saying we are happy that you recognized the union, but unless workers get a first contract, what have they really achieved? And we hope that both sides will come together and achieve a first contract. We continue to watch that situation.

So graduate employees, like others, need the freedom and the ability to form unions.

I want to hit on a few other areas that the PRO Act talks about, and my theme tonight really is what a comprehensive jobs bill does in trying to fix problems that prevent workers from exercising their rights.

Here is another one. The PRO Act will eliminate employers' ability to unilaterally withdraw recognition from a union. Now, this is problem created more recently.

On July 3, 2019, the Trump NLRB issued a decision in Johnson Controls. Incorporated that would allow an employer to announce that it will withdraw recognition of a union within a 90-day timeframe before the expiration of a collective bargaining agreement, based on its own idea that the union has lost majority support. This is just such a good example of what has happened over and over with workers' rights being chipped away at.

And so the PRO Act would overturn this decision and prohibit employers from unilaterally withdrawing recognition of a union, unless there is an election to decertify the union; just like the workers would have gone through an election to create the union in the first place.

Speaking of first contracts, almost half the time when workers organize in this country, they don't have a first contract within a year or two. And if you don't have a contract by then, you are not likely ever to get one. If you can't bargain collectively, what have you really accomplished by winning a union election?

So it is really crucial that we have first contracts. The PRO Act fixes this problem. It basically sets up a system of mediation and arbitration to ensure workers get a contract. It goes like this: Upon a written request from the union, they have to commence bargaining in 10 days.

If, within 90 days, they haven't achieved a first contract, either party can request mediation. After 30 days of mediation, if there isn't a first contract, the case will be referred to arbitration and the mediation panel must be established within 14 days. And there are sensible procedures about a three-person arbitration panel, fairly picked, with each side picking one and then agreeing on the third.

In addition, here are 104 days, 7 1/2 weeks from when the election is decided and the union is certified, there will be arbitration. There is no timeline for a decision, but that is reasonable because the arbitrators do this as a profession; they know how to do it; and I think we can count on them to be timely. And the decision of the arbitrators is binding for 2 years.

So bottom line, if the company doesn't want to negotiate, if the workers are having a hard time getting the company to the table, they can go to mediation and arbitration, and in 7 1/2 weeks, they can have an arbitration panel hearing their case. It's a complete sea change from today, and very important.

Another right that workers have been denied is the right to collective action in the courtroom, to sue their employer, to go to court to vindicate their rights.

The NLRA protects workers' rights to engage in concerted activities for the purpose of mutual aid and protection. It is that broad.

But, on May 21, 2018, the Supreme Court held in Epic Systems Corporation v. Lewis that, despite this explicit protection, employers may force workers into signing arbitration agreements that waive the right to pursue work litigation jointly, collectively, or in a class action, despite the specific language of the NLRA.

So, the PRO Act would overturn that decision by explicitly stating that employers may not require employees to waive their rights to collective action in the courtroom, including class action litigation.

I started organizing unions in 1983, and I remember learning about the Excelsior list; the list that employers have to provide unions so that they can know who the workers are and help them organize the union. You can only get this list after you have a showing of interest required under the act, so there is a whole process for this.

But the lists we got were often garbage. They were wrong. They would only have a person's first name or last name. They didn't have the information required.

So the National Labor Relations Board decided in 2014 that there has to be certain information in a list, and it has to be searchable in electronic format; very common sense. Employer's full name, their home address, work location, shift, job classification and, if the employer has it, their land line and
mobile telephone numbers and email addresses.

What is the context here?
I can tell you from personal experience, when we talk about workers having the right to organize, they don’t actually have the right to have the opportunity to union organizers in their workplace.

When I was organizing for SEIU, and in the 11 years I served as the assistant director of organizing at the national AFL-CIO, if we were helping workers at a facility organize and we walked on to that property, the employer would arrest us for trespassing.

Workers in the United States have no right to actually have access to unions in their workplace; so their only way to talk to representatives of the union is on the phone, or email, or at their homes. So the PRO Act makes clear that those lists have to be adequate, it’s another thing that may seem small; but if we fix it, we are going to help a lot more workers exercise their rights.

Another thing that happens very often is that employers gerrymander the bargaining unit that the National Labor Relations Board finds in which to hold elections.

So the PRO Act codifies the National Labor Relations Board’s 2011 decision in Specialty Healthcare, and prevents employers from doing this gerrymandering; prevents them from including individuals in the voting unit who have no interest in joining the union, but they are simply put there to try to pad the “no” vote to prevent the workers from succeeding in forming a union.

Another thing about union elections that are different from any normal election in a democracy is the workers usually vote in their workplace after an intense campaign from their employer to try to stop them from forming a union.

So the PRO Act enables the board to hold union representation elections electronically, through certified mail, or off-site, at a neutral location, to ensure that the employees can cast their ballots in a neutral, non-coercive environment.

It may seem incredibly basic in any election, but I am telling you, for the last 50 years, all union elections have taken place under physical conditions of pressure and coercion in an employer’s workplace, almost all of them.

A related matter that, again, seems shocking to many: if you took a civics class or any class about government or American history and you learned how elections are supposed to take place, this is a unique aspect.

In a union election, where it is just supposed to be workers deciding whether or not they want to form a union, under our system, the employer has been a party to the election. The workers file a petition. The employer is deemed a party, and then they get to engage in a delay, in order to advance their interest, which always is to stop their workers from forming a union.

So the PRO Act says no more. We are not having outside entities interfering with employees’ decisions about whether to join a union or not join a union. It is just up to the workers.

This would harmonize the NLRB’s procedures with those of the National Mediation Board under the Railway Labor Act, which governs labor relations for railroads and airlines and in this area it works much better.

Another question you might ask is: What do you do if an employer is found to have systematically interfered with the workers’ right to form a union?

What has happened regularly is the employer does anything to destroy a majority who may have signed cards seeking union representation, which leads to the election, and to get the workers to vote “no” even if a majority of them signed union cards.

A showing of interest to obtain an election in a neutral, non-coercive environment.

But what the PRO Act says is, if a majority of people said they wanted to have an organized absolute majority, they signed authorization cards, and then the employer set about and destroyed the majority through means that the National Labor Relations Board determined were illegal, the NLRB has a remedy that it shall issue an order requiring the employer to bargain, taking away the incentive and the ability of employers to destroy workers’ majorities through illegal activities.

Another area that has been so lacking in our labor laws has to do with penalties. And again, if you are a civil rights lawyer or activist concerned with women’s rights, or the rights of religious minorities, or the rights of workers, the penalties are laughable.

Another thing you made in the meantime. It is shocking.

What is the context here?

Working people aren’t going to stop working in the hopes that someday they will be found to have had their rights violated. They have to feed their families. So employers basically have gotten away with violating people’s rights, and the penalty has been, often, virtually nothing.

So under the PRO Act, if an employee has been discharged or suffered serious economic harm in violation of the act, now the NLRB will award back pay, without any reduction, front pay, consequential damages, and an additional amount as liquidated damages equal to two times the amount of damages awarded, which is, essentially, the doubling kind of punitive damages awarded in this kind of case, to incentivize the employers not to violate the law.

Also, the workers cannot have their relief denied if they are an undocumented worker.

So let me just mention one other area where this law will help workers so much; just to vindicate their basic right of association and speech in the workplace, to come together and form a union and bargain collectively. It refers to the same situation I just mentioned.

If they fire you for trying to form a union, what happens?

Their principal motive really isn’t about you as an individual. It is about the group. They are trying to scare you out of forming a union.

They will fire the ringleaders. They will fire one, five, however many people they think are necessary to basically have the workers fear moving forward to vindicate their rights.

Often in these cases, the courts ultimately may determine 6 months, 1 year, 5 years later that you were fired for union activity, but the union drive was killed long ago. It is immediate. It was killed within a day or weeks.

So the PRO Act requires the NLRB to seek temporary injunctive relief whenever there is reasonable cause to believe that an employer unlawfully terminated an employee or significantly interfered with employees’ rights under the NLRA. And the district court is directed to grant temporary relief for the duration of the NLRB proceedings.

Essentially, they are saying: I am firing you because you did something wrong on the job. That can be determined after the election, but we are not going to let employers fire workers to scare their coworkers out of exercising their rights.

Madam Speaker, these are just a few of the ways that the PRO Act will help American workers at long last exercise their freedom to form unions and bargain collectively. I am telling you, we have passed so much legislation that would help American workers and their families, the Raise the Wage Act, protection for people with preexisting conditions, lowering prescription drug costs, but there is no bill that comes close to this one and the impact it could have on American families and workers.

MIT did a study, and it found that just under half nonunion workers actually may have liked the job, but they just had the freedom to do it. Gallup every year studies people’s attitudes toward unions. They have been
doing this the same way for decades. They found the highest approval rating of unions in decades, yet just 6 percent of private-sector workers have unions.

If workers were free to form unions in this country, and not half of all non-union workers, but just a fraction of them so we got back up to say a third of workers being in unions in this country again, our economy would be completely transformed because when workers form unions it is not just they themselves who benefit. Other employers raise their wages to compete to attract workers or to try to get their workers not to form a union. That is fine. It benefits all workers in this country. It benefits their children and their communities.

It is just an honor to be here to talk about the PRO Act. I am really proud of being one of Chairman SCOTT’s lieutenants in this effort. Tomorrow, we are going to pass this legislation and give a leg up to all the working people in this country who just want to get their little piece of the American Dream.

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

STILL I RISE

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

Mr. GREEN of Texas. Madam Speaker, and still I rise, with the love of my country at heart, and I rise today on this day when the Senate has concluded its trial of the President.

I rise to say that this House can be very proud of the job that it has done because, notwithstanding all that has been said, this House had the courage to do what the Constitution required pursuant to Article II, Section 4, in terms of the standard for finding a President guilty.

The House did what it was supposed to do. The House impeached this President, charged this President with two Articles of Impeachment. One was the obstruction of Congress. I like to think of it as an obstruction of a congressional investigation. The other was abuse of power.

The Senate did not find the President guilty of either of the Articles of Impeachment, but the House still did its job because the House has the duty, the responsibility, and the obligation to move forward, notwithstanding what may be the case in the Senate. The House doesn’t act based on what the Senate is perceived to do or not do. The House must act based upon the evidence that is before it.

And the House did act. And the House did impeach. And as a result, regardless as to the finding of the Senate, the President is impeached forever. And it will be forever written in history that this President was impeached for high crimes and misdemeanors.

Why is this so important? It is important because notwithstanding the finding in the Senate, the President knows now that the House has the courage to do its job. The House will put the guardrails up. The President knows that he cannot escape the House because this is where the bar of justice lies in terms of presenting Articles of Impeachment such that they can go to the Senate.

The President has to know now that the House is the sword of Damocles. For those who may not know, Damocles was a courtier. He was a person with the sword hanging above his head. The king believe and tell the king that he was great and that all of his subjects loved him. The king, on one occasion, decided to allow Damocles to occupy the throne. But in so doing, he wanted Damocles to understand that occupying the throne carries with it more than the accolades and all of the kind words that were being said.

So he had a sword hung above Damocles by a single hair from a horse’s tail. As Damocles understood that, at any moment, the sword might fall upon him and do him great harm. To some extent, he was proud and pleased to occupy the throne, but the reality was he realized that it was not the easy occasion that he thought it to be. So he begged the king to release him and allow him to remove himself from under the sword that was hanging over him.

The House is the sword of Damocles. We hang there above the President so that he will know that if he commits impeachable acts that the House will act.

Now, I understand that there will be those who will say that the Senate acted and found the President not guilty. Yes, “not guilty,” not “innocent.” The Senate did not proclaim the President innocent. They simply said he is not guilty—a lot of difference between not guilty and innocent.

To be impeached you have been found to have done absolutely nothing wrong, you are totally without blame, and you are a person who can claim that you have done absolutely nothing wrong without any blame at all. Well, “not guilty” simply means that the evidence presented, as they reviewed it, they did not conclude that the President could be found guilty. So he was found not guilty, but he was not proclaimed innocent by the Senate.

And the Senate that a President who has been found not guilty cannot be impeached again. The Senate deals with the question of a trial, and there is some question as to whether or not this was an appropriate trial pursuant to the Constitution. But the Senate deals with the trial. It is the House that deals with impeachment.

As such, the House found that the President should have been impeached, did impeach, but also, under law, the Constitution allows the House to impeach again if the President is found to have engaged in impeachable offenses. The House is not allowed simply one opportunity to impeach a reckless, ruthless, lawless President. The House can impeach each and every time the President commits an impeachable act. And if the President has committed an impeachable act, the House can impeach.

And so there will be those who will say that we are now calling for impeachment again. This is not true. I will make it perspicuously clear: Not the case. Not calling for impeachment at this time, but indicating that the rules, pursuant to the Constitution, allows the House to impeach at any time the President commits acts that are impeachable.

Madam Speaker, I must say if the President does commit another impeachable act, I believe that this House will uphold its responsibility, its duty, and its obligation, as it has done.

I am proud to be associated with the House and what it has done because I am proud to say we have upheld the Constitution. This is what we were required to do, to uphold the Constitution of the United States of America and not allow a President to do as he would without any restrictions on him. I understand that the President has decided that, as the executive, he can dictate the rules for a trial, the rules for impeachment, but the House did not allow him to do so, such that it would retreat from its responsibility.

The House has said: Mr. President, there are guardrails, and these guardrails we will not allow you to simply ignore. The guardrails are such that you will have to conform to the Constitution.

I believe that what the Senate has done has not benefited the country, but I also know that what the House has done was send a message that the President is not beyond reproach, that the House of Representatives still stands here as a sentinel on duty to assure this country that if the President steps out of line and does something that is impeachable, the House will indeed act upon what the President may have done.

I believe in the separation of powers. I believe that the executive branch has certain powers. I believe that the judicial branch has certain powers and that the legislative branch has certain powers. But I know that only the House has the power to impeach.

And I know that the President cannot withhold witnesses, cannot withhold evidence from the House such that it cannot move forward with the proper investigation. I know that he cannot do this with impunity. He can’t do it with impunity of some sort. He is not immune, and the House has demonstrated this, that he is not immune. Notwithstanding his behavior, the House can still move forward with its duty and responsibility as it did and impeach.

It is also now clear that the House does not have to find out a crime has been committed, in the sense of a statutory, codified offense. There does not
have to be a crime that has been defined in law such that it is penalized. Not so. The Constitution doesn’t require it.

In fact, Andrew Johnson was impeached in 1868 for offenses that were not crimes, in the sense that they were something defined by statute, something that has already been codified. It wasn’t required then; it isn’t required now.

Andrew Johnson was impeached on Article X of the articles against him for acts rooted in his bigotry and his hatred. He was impeached, and the root of it was he did not want the freed slaves to enjoy the same rights as other people in this country. He fought the Freedmen’s Bureau. He did everything that he could to prevent them from having the same rights as others in this country. The radical Republicans impeached Andrew Johnson in 1869 for having utterances and statements that were inflammatory. He deserved the House of Representatives. But it was all rooted in his hate and racism, and as a result, no crime, but he was impeached.

We now know that this can be done. And this President has done some things that are dreadful, some things that I wouldn’t want to see a President do and that, in my opinion, are in violation of the Constitution.

You don’t have to commit a statutory offense to be found guilty of a high crime and misdemeanor. We know this now.

When we first started this journey, we had to fight this battle to convince people, and people have finally been convinced. There are some outliers who will contend that you have to commit a crime in the sense that it is defined and codified as a statute, but this is not the case. All of the leading scholars agree with the comments that I am sharing with you tonight.

So I want you to know that, if the President inculcates bigotry into his policies, he can be impeached. For bigotry in policies emanating from the President, he can be impeached.

We don’t have to have bigoted policies emanating from the President. We don’t have to have this. There is no requirement in this country that we must suffer a President who presents bigotry into public discourse. There is no requirement.

We have an obligation in this country to defend all people. All of the people in this country should have equal protection under the law. We can’t allow anyone in this country to present circumstances or cause circumstances to come into existence that may cause harm to people.

When you say ugly things about people and you tell police officers that you don’t have to be nice when you are arresting a person, you are inviting harm to be done to a certain person who may be arrested.

Anybody who is arrested should still be treated as a human being with certain dignity and respect simply because that certain person is in the care, custody, and control of the authorities. The authorities have a duty to respect the people that they arrest.

Well, you don’t invite persons to be held otherwise, which is something this President has done.

So I want the persons within the sound of my voice to know that I am proud of what the House has done. The President now knows that he can be impeached, that we are the sword of Damocles. The House has a duty and responsibility to do what it did, and it can do it again if the President commits additional impeachable acts.

The President has said he could go out on Fifth Avenue and shoot someone and do it with impunity. He didn’t use those exact words.

Well, if he does, using his phraseology of going out and doing this disdainfully, he will be impeached. We will not allow a President to do such a thing.

And I, quite frankly, think it is inappropriate for him to joke about such a thing. I say it only because I want people to know that I take seriously the possibility of the President doing something else, not going out on Fifth Avenue, but doing something else.

The President has demonstrated that he is a recidivist, and he will engage in recidivism; and when he does engage in recidivism, we have a responsibility to the Constitution to impeach him for his misdeeds.

Finally, this: I love this country. It means something to me to be a citizen of this country. I respect the opportunity that I have to be a part of this Congress.

I don’t want it said that, on my watch, when we have a good, ruthless President, I failed to live up to my responsibilities. I want it said that, though I may have had to stand alone at some point, it is better to stand alone than not stand at all.

I want it to be recognized that, if you tolerate bigotry, you perpetuate it. And I want it said that I did not tolerate it, and that I did all that I could to bring a President who engaged in bigotry and racism and Islamophobia, homophobia, xenophobia, nativism, all of the invidious phobias, anti-Semitism, that I did all that I could to bring him to the bar of justice in the House of Representatives.

But I also would want the record to show that I said tonight that I will do all that I can, if he engages again, to bring him before the bar of justice, and that certain offenses that he has committed have not been brought to the bar of justice and that it is never too late, as long as the House chooses to bring the President before the bar of justice.

This is where it all starts, right here in the House of Representatives.

I am so proud of my colleagues who voted to impeach this President. The House can be proud of what it has done.

The President knows that here there is courage and there is the courage to bring him to justice. He will forever be an impeached President.

He may have been found not guilty, but the impeachment is not eradicated, it is not obliterated, it is not eliminated by virtue of the fact that the Senate chose not to find the President guilty.

I happen to absolutely, totally, and completely disagree with the Senate and its findings. I think the Senate made the wrong decision, but it made a decision, and that decision will stand.

I also know that that decision can be appealed. The decision of the Senate can be appealed, and it will be appealed to a higher court, the court that will convene in November. I believe that that court will have a different finding in November of this year.

I love my country.

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.

ADJOURNMENT

Mr. GREEN of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o’clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 6, 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 the following report on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 3830, the Taxpayers Right-To-Know Act, 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:

3710. A letter from the Senior Legal Advisor for Regulatory Affairs, Department of the Treasury, Financial Stability Oversight Council, transmitting the Council’s final interpretive guidance — Authority To Require Supervision and Regulation of Certain Nonbank Financial Companies (RIN: 4000-ZA29) received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 686); to the Committee on Financial Services.

3711. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Flutriafol; Pesticide Tolerances (EPA-HQ-OPP-01; FRL-10604-01) received February 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

February 5, 2020 CONGRESSIONAL RECORD — HOUSE H845
REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. CAROLYN B. MALONEY of New York: Committee on Oversight and Reform. H.R. 5760. A bill to advance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes; with an amendment (Rept. 116–391). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEJAULNIER: Committee on Rules. House Resolution 833. Resolution providing for consideration of the resolution (H. Res. 839) expressing disapproval of the Trump administration’s harmful actions towards Medicare; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, the Labor-Management Reporting and Disclosure Act of 1959, and the Labor-Management Standards Act, and for other purposes; with an amendment (Rept. 116–391). Referred to the Committee of the Whole House, as follows:

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PLASKETT (for herself, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. CASTAñEDO, Ms. NORTON, RoyAL-ALLARD, Mr. SHRES, Ms. TTUS, and Ms. VELÁZQUEZ): H.R. 5756. A bill to amend the Bipartisan Budget Act of 2018 to extend temporary funding for computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes; to the Committee on Education and Labor.

By Mr. BARR (for himself and Ms. GARIBaldi): H.R. 5757. A bill to amend title 38, United States Code, to improve the care furnished to veterans with military sexual trauma; to the Committee on Veterans’ Affairs.

By Mr. GUTHRIE (for himself and Ms. SCHWINO): H.R. 5758. A bill to amend the Energy Policy and Conservation Act to make technical corrections to the energy conservation standards for refrigeration, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ADAMS (for herself, Mr. DRAHOS, Mr. FLEischMANN, Ms. O’MARA): H.R. 5759. A bill to establish a career pathway grant program; to the Committee on Education and Labor.

By Mr. REEB (for himself and Mr. WEINER of Texas): H.R. 5760. A bill to provide for a comprehensive interdisciplinary research, development, and demonstration initiative to strengthen the capacity of the energy sector to prepare for and withstand cyber and physical attacks, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Homeland Security, for a period to be subsequently determined, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEUSER (for himself and Mr. BRENDISE): H.R. 5761. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons; to the Committee on Veterans’ Affairs.

By Mr. CArTRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BISHOP of Georgia, Mr. CORTEZ, Mr. PAFFASt, Mrs. BUSH, and Mr. BAlderson): H.R. 5762. A bill to establish a White House Rural Council, and for other purposes; to the Committee on Agriculture.

By Mr. GIAnForte (for himself and Ms. Eshoo): H.R. 5763. A bill to amend the Public Health Service Act to advance telehealth by developing a plan for adoption and coordination by Federal agencies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. YOUNG, Mr. LANGVIN, Mr. GALLEggio, Mr. ESPAllAT, and Mrs. DAVIS of California): H.R. 5764. A bill to establish high-quality dual language immersion programs in low-income communities, and for other purposes; to the Committee on Education and Labor.

By Mrs. LARSEN of Washington (for himself and Mrs. BrooKS of Indiana): H.R. 5765. A bill to authorize the matching grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. STARK (for himself and Mr. KHANNA): H.R. 5766. A bill to amend the Harry W. Colmery Veterans Educational Assistance Act of 2017 to expand eligibility for high technology programs of education and the class of providers who may enter into contracts with the Secretary of Veterans Affairs to provide such programs, and for other purposes; to the Committee on Veterans’ Affairs.

By Ms. OMAR (for herself, Mr. BASS, Mr. NIKUS, Mr. PAYne, Mr. Norton, Mr. McGOVERn, Mr. CARSON of Indiana, Ms. ClarKE of New York, Ms. JAyAPAL, Mr. JOHnSON of Georgia, Ms. BROWN of Ohio, Mr. GRIJALVA, Mr. KHANNA, Ms. PLESSiERY, Mr. HORsFORD, Ms. TLABi, Ms. OCASiO-CORTEZ, Mrs. WATSON COLEMAN, Ms. SCANtOn, Ms. SCHOWsky, Mr. SMiTH of Washington, Mr. GOMEz, Mr. ENGEL, Mr. ESPLAllAT, Ms. LEE of California, Mr. RUSH, Mr. RADAIt, Ms. CRAIG, Mr. PHILLIPS, and Mr. CLAY): H.R. 5767. A bill to defer the removal of certain Eritrean nationals for a 24-month period, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHNEIDER (for himself, Mr. ZELDiG, Mr. DUtCH, Mr. KUSTOFF of Tennessee, and Mr. LEWIS): H. Con. Res. 87. Concurrent resolution authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mrs. GRANGER (for herself, Mr. SCALiSE, Mr. FERGUson, Mr. CALvERT, Mr. MEADOWs, Mr. GOHMRiET, Mr. GOSAR, Mr. ECK of Georgia, Mr. BROOMS of Alabama, Mr. FLORES, Mrs. Wagner, Mr. WETER of Texas, Mr. OLson, Mrs. WALORSKI, Mr. CAR- TPEAK of Texas, Mr. GyGER, Mr. COL- LINS of Georgia, Mr. GAFTZ, Mr. ABRAHAM, Mr. AUSTIN SCOTT of Geor- gia, Mr. NEWHousE, Mr. PALMER, Mr. WEINSTRIp, Mr. BRADY, and Mr. GRIFFITH): H. Res. 832. A resolution raising a question of the privileges of the House; to the Committee on Ethics.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers demonstrated to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. PLASKETT: H.R. 5756. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Mr. GUTHRIE: H.R. 5758. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Ms. ADAMS: H.R. 5759. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Mr. BERRA: H.R. 5760. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Mr. MEUSER: H.R. 5761. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Ms. RUSH: H.R. 5762. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

By Mr. GIANForte: H.R. 5763. Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 12 and 13, which gives Congress the power “To raise and support Armies,” and “To provide and maintain a Navy.

MEMORIALS

Under clause 3 of rule XII, 158. The SPEAKER presented a memorial of the General Assembly of the Commonwealth of Virginia, relative to House Joint Resolution No. 1 and Senate Joint Resolution No. 1, submitting Virginia’s ratification of the Equal Rights Amendment to the Constitution of the United States, which was referred to the Committee on the Judiciary.
By Mr. GRIJALVA:

H.R. 2530: Mr. ROGULEMAN, Ms. SEWELL of Alabama, Mrs. MURPHY of Florida, Mr. BALDWIN, Mr. COLE, Mr. ABERHOLTZ, and Mr. TURNER.

H.R. 2491: Mr. JACKSON of Georgia.

H.R. 2577: Mrs. HAYES.

H.R. 2616: Mr. CARACEL of Illinois.

H.R. 2629: Mr. LAMB.

H.R. 2630: Mr. ROGULEMAN.

H.R. 2653: Ms. MATSUMI and Ms. BASS.

H.R. 2694: Mr. CLAY, Mr. PALLONE, Mr. BRUNO, and Mr. BALDWIN.

H.R. 2711: Mr. FORSTEN, Mr. WILD, Ms. SCHA-

KOWSKY, and Ms. MENG.

H.R. 2733: Mr. PALLONE.

H.R. 2777: Mr. ALLRED.

H.R. 2895: Mr. POSEY.

H.R. 2896: Ms. OCASIO-CORTEZ and Mr. JIM.

H.R. 2912: Ms. VIEL, Ms. LAWRENCE, and Mr. KELDNER.

H.R. 2931: Ms. WILD and Mr. LARSEN of Washington.

H.R. 3077: Mr. CUILLER and Mrs. MILLER.

H.R. 3107: Mr. MOONEY of West Virginia, Mr. CHERNWFLASH, Mrs. MILLER, Mr. SMITH of Missouri, Ms. WILSON of Florida, Mr. HIME, Mr. KRISHNAMOORTHI, and Mr. PHILLIPS.

H.R. 3114: Mr. JEFFREYS.

H.R. 3219: Mr. JEFFREYS, Mr. MALINOWSKI, and Mr. LARSEN of Washington.

H.R. 3222: Mr. LEWIS.

H.R. 3414: Mr. LAMB and Mr. SIEES.

H.R. 3493: Mr. YOUNG and Mr. LARSEN of Washington.

H.R. 3582: Mr. WILD.

H.R. 3645: Mr. SIEES.

H.R. 3689: Mrs. BEATTY and Ms. DELBENE.

H.R. 3708: Mr. NORMAN and Mr. GALLAGHER.

H.R. 3711: Mr. MCCOLLUM.

H.R. 3742: Ms. McCaul.

H.R. 3815: Ms. BASS.

H.R. 3879: Mr. WESTHRAM.

H.R. 3956: Mr. LYNCH.

H.R. 3957: Mr. MICHAEL F. DOYLE of Pen-
sylvania.

H.R. 3962: Mr. ROUDA and Mr. SOTO.

H.R. 3975: Mr. STEURE.

H.R. 3976: Mr. TAYLOR.

H.R. 3979: Mr. PHILLIPS.

H.R. 4069: Mr. ROOKIN of Florida.

H.R. 4092: Ms. PINOKE.

H.R. 4096: Mr. MARSHALL.

H.R. 4100: Mr. SMITH of Missouri.

H.R. 4107: Ms. MATSUMI.

H.R. 4132: Mr. HURD of Texas and Mr. SIKKIAN.

H.R. 4189: Mr. RISCHENTHALER and Mr. COOK.

H.R. 4269: Mr. KHANNA.

H.R. 4305: Mr. RUIZ.

H.R. 4326: Mr. RUSH.

H.R. 4350: Ms. BONAMICI.

H.R. 4359: Ms. HALLAND.

H.R. 4393: Ms. BONAMICI, Ms. SEWELL of Alabama, Ms. WENTON, and Mrs. KEELLY of Illinois.

H.R. 4487: Mr. POCAN.

H.R. 4542: Mr. BUCHANAN and Mr. DIAZ-

BALART.

H.R. 4674: Ms. VELAZQUEZ.

H.R. 4705: Mr. HASTINGS and Mr. CLAY.

H.R. 4748: Mr. ALLRED.

H.R. 4764: Mr. HAIDER of California and Mr. RUSH.

H.R. 4794: Mr. TAYLOR.

H.R. 4840: Mr. GRIJALVA.

H.R. 4881: Mr. JOHN W. ROSE of Tennessee.

H.R. 4926: Mr. SMITH of New Jersey.

H.R. 4964: Mr. BALDPERSON.

H.R. 4971: Mr. GRIFFITH and Mr. WITTMAN.

H.R. 4986: Mrs. HAYES.

H.R. 5002: Mr. MOLTON.

H.R. 5036: Mr. KIM and Mr. KIND.

H.R. 5037: Mr. TAYLOR.

H.R. 5044: Mr. TIMMONS.

H.R. 5046: Mr. DAVIDSON.

H.R. 5052: Mr. CARSON of Indiana.

H.R. 5080: Mr. CUNNINGHAM and Mr. STEURE.

H.R. 5117: Mr. HAGEDORN.

H.R. 5138: Mr. HARDER of California and Ms. GARCIA of Texas.

H.R. 5175: Mr. BUDD, Mr. LUCAS, and Mr. LEFFTKEYER.

H.R. 5284: Mr. PAPPAS.

H.R. 5288: Mr. LORRISACK.

H.R. 5289: Mrs. LEIBSON and Mr. BYRNE.

H.R. 5291: Mr. DEUTCH, Mr. KUFFSTOF of Ten-

nessie, and Mr. HUDSON.

H.R. 5308: Ms. GARCIA of Texas and Mr. MOULTON.

H.R. 5326: Ms. JUDY CHU of California.

H.R. 5390: Mr. CASE.

H.R. 5408: Mr. LOUDERMKIL.

H.R. 5427: Mr. MILLER and Mr. BALDSTON.

H.R. 5446: Mr. GUJALVA.

H.R. 5456: Ms. TUTTIS.

H.R. 5466: Mr. HASTINGS.

H.R. 5467: Mr. ARMSTRONG.

H.R. 5492: Ms. LOPES and Mr. POCAN.

H.R. 5494: Ms. MOORE.

H.R. 5503: Mr. TRONTE.

H.R. 5507: Mr. SMITH of New Jersey.

H.R. 5528: Mr. VAN DREW.

H.R. 5534: Mr. LATTA.

H.R. 5543: Ms. SLOTKIN.

H.R. 5596: Mr. COHEN and Mrs. RODGERS of Washington.

H.R. 5649: Ms. LIKE of California, Mr. RUSH, Ms. MOOR, and Mr. THOMPSON of Mississippi.

H.R. 5552: Ms. SCANLON, Mr. HASTINGS, Mr. POCAN, and Mr. COOPER.

H.R. 5554: Mr. HUFFMAN, Mr. MOULTON.

H.R. 5563: Mr. POCAN.

H.R. 5570: Mr. MURPHY of North Carolina.

H.R. 5581: Mr. ENGEL, Ms. LIKE of California, Mr. LEVIN of Michigan, Mr. KELDNER, and Mr. GALIAKO.

H.R. 5594: Mr. GIANFORTE, Mr. NORMAN, and Mr. ARMSTRONG.

H.R. 5602: Mr. JACKSON, Mr. SMITH of Washington, Mr. HUFFMAN, and Mr. QUIGLEY.

H.R. 5605: Mr. STANTON.

H.R. 5637: Mr. AGUERAL, Ms. STEVENS, and Mr. ROSE of New York.

H.R. 5659: Mr. MOULTON.

H.R. 5669: Mr. COSTA.

H.R. 5675: Ms. MCCOLLUM.

H.R. 5703: Ms. WATSON COLEMAN and Mr. TONKO.

H.R. 5708: Mr. WEBER of Texas.

H.R. 5744: Mr. NEWHOUSE and Mr. NORMAN.

H.R. 5751: Mr. BLUMENTAER, Mr. RYAN, and Mr. CARSON of Indiana.

H. Res. 174: Mrs. CARMELYN B. MALONEY of New York.

H. Res. 189: Mr. GOTTHEIMER.

H. Res. 432: Mr. DEUTCH.

H. Res. 512: Mr. ROONEY of Florida.

H. Res. 734: Mr. BUCHON and Mr. KING of New York.

H. Res. 745: Mr. GARCIA of Illinois and Mrs. WATSON COLEMAN.

H. Res. 977: Mr. CROW.

H. Res. 805: Mr. GALLAGHER.

H. Res. 819: Ms. JACKSON, Mr. HILL of Arkansas, Mr. WILLIAMS, Mr. ALLEN, Mr. DUNN, Mr. MALMA, Mr. WEBER of Texas, Mr. GIBBS, Mr. Baird, and Mr. BACON.

H. Res. 815: Ms. ENGEO, Ms. DAVIDS of Kansas, Mr. KELDNER, and Ms. PENNKER.

H. Res. 829: Mr. LEWIS, Mrs. BEATTY, Mr. PHILBY of Georgia, Ms. BUST RICH, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. HASTINGS, Ms. NORTON, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. LAWRENCE, Mr. MERCE, Mr. RUSH, Mr. SCANLON, Mr. VEAZY, Mrs. WATSON COLEMAN, and Mr. CLAY.
CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. NEAL

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 5687 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 rule XXI.

OFFERED BY MR. YARMUTH

The provisions that warranted a referral to the Committee on the Budget in H.R. 5687 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative MORELLE to H.R. 2474, the Protecting the Right to Organize Act of 2019, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 25: Mr. Spano.
The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Strong Deliverer, our shelter in the time of storms, we acknowledge today that You are God and we are not. You don’t disappoint those who trust in You, for You are our fortress and bulwark.

Lord, show our Senators Your ways and teach them to walk in Your path of integrity.

Through the seasons of our Nation’s history, You have been patient and merciful. Mighty God, be true to Your name. Fulfill Your purposes for our Nation and world.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. BLACKBURN). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Prescription Drug Costs

Mr. GRASSLEY. Last night, in the State of the Union Address, President Trump called on Congress to put bipartisan legislation to lower prescription drug prices on his desk and that he would sign it.

Here are the facts. The House is controlled by Democrats. The Senate requires bipartisanship to get any legislating done. There are only a couple of months left before the campaign season will likely impede any legislation from being accomplished in this Congress. So the time to act is right now.

I am calling on my colleagues on both sides of the aisle to get off the sidelines and to work with me and Senator WYDEN, as President Trump already is, to heed the call to action that he gave us last night and pass the Prescription Drug Pricing Reduction Act. It is the only significant bipartisan bill in town. President Trump, the AARP, and the libertarian Cato think tank, to name just a few people involved, have all endorsed the bill.

If you are serious about fulfilling promises to lower drug costs, my office door is open, as Senator WYDEN’s door is open. It is time for the Senate to act and to deliver for the American people. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

IMPEACHMENT

Mr. MERKLEY. Madam President, as Senators, our decisions build the foundation for future generations. I want those generations to know that I stood here on the floor of this Chamber fighting for equal justice under law. I stood here to defend our Senate’s responsibility to provide a fair trial with witnesses and documents. I stood here to say that when our President invites solicitation from being removed from office.

As a number of my Republican colleagues have confessed, the House managers have proven their case. President Trump did sanction a corrupt conspiracy to smear a political opponent, former Vice President Joe Biden. President Trump assigned Rudy Giuliani, his personal lawyer, to accomplish that goal by arranging sham investigations by the Government of Ukraine. President Trump advanced his corrupt scheme by instructing the three amigos—Ambassador Volker, Secretary of Energy Rick Perry, and Ambassador Gordon Sondland—to work with Rudy for this goal. President Trump did use the resources of America, including an Oval Office meeting and security assistance to pressure Ukraine, which was at war with Russia, to participate in this corrupt conspiracy. The facts are clear.

But do President Trump’s acts rise to the level the Framers envisioned for removal of a President, or are they, as some colleagues in this Chamber have said, simply “inappropriate,” but not “impeachable”? With respect to those colleagues, “inappropriate” is lying to the public; “inappropriate” is shunning our allies or failing to put your personal assets into a blind trust or encouraging foreign governments to patronize your properties. That is something you might call “inappropriate,” but that word does not begin to encompass President Trump’s actions in this case—a corrupt conspiracy comprising a fundamental assault on our Constitution.

This conspiracy is far worse than Watergate. Watergate was about a break-in to spy on the Democratic National Committee—bad, yes; wrong, definitely. But Watergate didn’t involve soliciting foreign interference to destroy the integrity of an election. It didn’t involve an effort to smear a political opponent. Watergate did not involve an across-the-board blockade of access by Congress to witnesses and documents.
If you believe that Congress was right to conclude that President Nixon’s abuse of power merited expulsion from office, you have no choice but to conclude that President Trump’s corrupt conspiracy merits his expulsion from office.

President Trump should be removed from office this very day by action in this very Chamber, but he will not be removed because this Senate has failed to conduct a full and fair trial to reveal the corruption and collapse of his conspiracy and because the siren call to party loyalty over country has infected this Chamber.

Every American understands what constitutes a full and fair trial. A full and fair trial has witnesses. A full and fair trial has documents. A full and fair trial has documents. A full and fair trial has documents. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses. A full and fair trial has witnesses.

The Senate trial became a coverup when the majority voted on January 22 and again on January 31 to block all access to witnesses and documents. If this coverup goes forward, it will be the latest in a set of corrupt firsts this Senate has achieved under Republican leadership.

It has been the first Senate to ignore our constitutional responsibilities to debate and vote on a Supreme Court nominee in 2016. It became the first Senate to complete the theft of a Supreme Court seat from one administration giving it to another in 2017.

And now, it becomes the first Senate in American history to replace an impeached President with a corrupt President by converting a trial into a coverup. A trial without access to witnesses and documents is what one expects of a corrupted court in Russia or China, not the United States of America.

We know what democracy looks like, and it is not just about having the Constitution or holding elections. Our democracy is not set in stone. It is not given to us by the government. It is a right and a responsibility of the people of this country. Keeping a democracy takes courage and commitment. As the saying goes, “freedom isn’t free.” It is the responsibility of the people to defend their democracy and make sure that government “of the people, by the people, for the people shall not perish from the Earth.”

Fighting for that inheritance doesn’t only happen on the battlefield. It happens when Americans everywhere go to the polls to cast a ballot. It happens when ordinary citizens, distraught at what they are seeing, speak up, join a march, or run for office to make a difference. And it happens here in this Chamber—in this Senate Chamber—when Senators put addressing the challenges of our country over the pressures from their party.

Before casting their votes today, I urge every single one of my colleagues to ask themselves: Will you defend the integrity of our elections? Will you deliver impartial justice? Will you protect the separation of powers—the heart of our Constitution? Will you uphold the rule of law and the inspiring words carved above the doors of our Supreme Court, “Equal Justice Under Law”? I stand here today in support of our Constitution, which has made our Nation that shining city on a hill. I stand here today for equal justice under law. I stand here today for a full and fair trial as our Constitution demands. I stand here today to say that a President who has abused his office by soliciting a foreign country to intervene in the election of 2020 and bias the outcome—betraying the trust of the American people and undermining the strength of our Constitution—must be removed from office.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

STATE OF THE UNION ADDRESS

Mr. SCHUMER. Madam President, I will speak later this afternoon, at about 3:30—prior to the vote on the Articles of Impeachment—about impeachment, but this morning, I would like to briefly respond to President Trump’s threats to defund the Supreme Court. It was a sad moment for democracy.

The President’s speech last night was much more like a Trump rally than a speech a true leader would give. It was demagogic, unenlightened, highly partisan, and, in too many places, just untruthful. Instead of a dignified President, we had some combination of a pep rally leader, a reality show host, and a carnival barker. That is not what Presidents are.

President Trump took credit for inheriting an economy that has been growing at about the same pace over the last 10 years. The bottom line is, during the last 3 years of the Obama administration, more jobs were created than under these 3 years of the Trump administration. Yet he can’t resist digging at the past President even though the past President’s economic number was better than his.

He boasted about how many manufacturing jobs he has created. Manufacturing jobs have gone down, in part, because of the President’s trade policies for 5 months late last year. There was a 5-month-long recession last year. Farmers are struggling mightily. Farm income is way down. Bankruptcies are the highest they have been in 8 years. Crop prices are dwindling, and markets may never recover from the damage of the President’s trade war as so many contracts for soybeans and other goods have gone to Argentina and Brazil. These are not 1-year contracts; these are long-term contracts.

The President talked at length about healthcare and claimed—amazingly at one point—he will fight to protect patients with preexisting conditions. This President just lies—just lies. He is in court right now, trying to undo the protections for preexisting conditions. At the same time, he says he wants to do it, and all the Republicans get up
Mr. CORNYN. Madam President, over the last months, our country has been consumed by a single word, one that we don’t use often in our ordinary parlance. That word, of course, is “impeachment.” It has filled our news channels, our Twitter feeds, and dinner conversations. It has led to a wide-ranging debate on everything from the constitutional doctrines of the separation of powers to the due process of law—two concepts which are the most fundamental building blocks of who we are as a nation. It has even prompted those who typically have no interest in politics to tune into C-SPAN or into their favorite cable news channels.

The impeachment of a President of the United States is simply the gravest of all undertakings we can pursue in this country. It is the nuclear option in our Constitution—the choice of last resort—when a President has committed a crime so serious that Congress must act rather than leave the choice to the voters in the election.

The Framers of the Constitution granted this awesome power to the U.S. Congress and placed their confidence in the Senate to use only when absolutely necessary, when there is no other choice.

This is a rare, historic moment for the Members of this Chamber. This has been faced by the Senate only on two previous occasions during our Constitution’s 232-year history—only two times previously. We should be extraordinarily vigilant in ensuring that the impeachment power does not become a regular feature of our differences and, in the process, cheapen the vote of the American people. Soon, Members of the Senate will determine whether, for the first time in our history, a President will be removed from office, and then we will decide whether he will be barred from the ballot in 2020.

The question all Senators have to answer is, Did the President commit, in the words of the Constitution, a high crime and misdemeanor that warrants his removal from office or should he be acquitted of the charges made by the House?

I did my best to listen intently to both sides as they presented their cases during the trial, and I am confident in saying that President Trump should be acquitted and not removed from office.

First, the Constitution gives the Congress the power to impeach and remove a President from office only for treason, bribery, and other high crimes and misdemeanors, but the two Articles of Impeachment passed by the House of Representatives fail to meet that standard.

The first charge, as we know, is abuse of power. House Democrats alleged that the President withheld military aid from Ukraine in exchange for investigations of Joe and Hunter...
Biden. But they failed to bring forward compelling and unassailable evidence of any crime—again, the Constitution talks about treason, bribery, or other high crimes and misdemeanors; clearly, a criminal standard—and thus failed to meet their burden of proof. Certainly, the House managers failed to meet the high burden required to remove the President from office, effectually nullifying the will of tens of millions of Americans just months before the next election. What is more, the House, vague in charge in the first article, included the President's legal team from the closed-door testimony and all 13 witnesses whose testimony we did hear during the Senate trial. But for those witnesses for whom it was clear the administration would claim a privilege, almost certainly leading to a long court battle, the House declined to issue the subpoenas and did not seek judicial enforcement. Rather than addressing the privilege claims in court, as happened in the Nixon and Clinton impeachments, the Democratic managers moved to impeach President Trump for obstruction of Congress for protecting the Presidency itself from a partisan abuse of power by the House.

Removing the President from office for asserting long-recognized and constitutionally grounded privileges that have been invoked by both Republican and Democratic Presidents would set a very dangerous precedent and would do violence to the Constitution's separation of powers design. In effect, it would make the Presidency itself subservient to Congress.

The father of our Constitution, James Madison, warned against allowing the impeachment power to create a Presidential tenure at the pleasure of the Senate. Even more concerning, at every turn throughout this process, the House Democrats violated President Trump's right to due process of law. All American law is built on a constitutional foundation securing basic rights and rules of fairness for a citizen accused of wrongdoing.

It is undisputed that the House excluded the President's legal team from both the closed-door testimony and almost the entirety of the House's 78-day inquiry. They channeled personal, policy, and political grievances and attempted to use the most solemn responsibility of Congress to bring down a political rival in a partisan process.

It is no secret that Democrats’ crusade to remove the President began more than 3 years ago on the very day he was inaugurated. On January 20, 2017, the Washington Post ran a story with the headline “The campaign to impeach President Trump has begun.” At first, Speaker PELOSI wisely resisted. Less than a year ago, she said, “Impeachment is so divisive to the country that unless there is something compelling and overwhelming and bipartisan, I don’t think we should go down that path because it divides the country.” And she was right. But when she couldn’t hold back the stampede of her caucus, she did a 180-degree about-face. She encouraged House Democrats to rush through an impeachment inquiry before an arbitrary Christmas deadline.

In the end, the articles passed with support from only a single party—not bipartisan. The bipartisanism the Speaker claimed was necessary was actually opposed to the impeachment of the President; that is, Democrats and Republicans voted in opposition to the Articles of Impeachment. Only Democrats voted for the Articles of Impeachment in the House.

Once the articles finally made it to the Senate after a confusing, 28-day delay, Speaker PELOSI tried to have Senator SCHUMER—the Democratic leader here—use Speaker PELOSI’s majority in the House to speed up the process. Senator PELOSI’s majority number of political votes every Member of the Senate knew would fail, just so he could secure some perceived political advantage against Republican Senators in the 2020 election.

What should have been a solemn, constitutional undertaking became partisan guerilla warfare to take down President Trump and make Senator SCHUMER the next majority leader of the U.S. Senate. All of this was done on the eve of an election and just days shy of the first primary in Iowa.

Well, to say the timing was a coincidence would be laughable. This partisan impeachment process could not have come at a worse time. It would also potentially prevent his name from appearing on the ballot in November. We are only 9 months away from an election—9 months away from the American people voting on the direction of our country—but our Democratic colleagues don’t trust the American people, so they have taken matters into their own hands.

This politically motivated impeachment sets a dangerous precedent. This is a very serious matter. This is not just about President Trump; this is about the Office of the Presidency and what precedent a conviction and removal would set for our Constitution and for our future. If successful, this would give a green light to future Congresses to weaponize impeachment to defeat a political opponent for any action—even a failure to kowtow to Congress’s wishes.

Impeachment is a profoundly serious matter that must be handled as such. It cannot become the Hall Mary pass of a party to remove a President, effectively nullifying an election and interfering in the next.
that any subpoenas issued before passage of a formal resolution of the House establishing an impeachment inquiry were constitutionally invalid and a violation of due process. The House, in the Court’s view, the Constitution’s grant of the “sole power of impeachment” to the House and argue that no authorizing resolution was required. Essentially, the constitutionally based impeachment power that the House can run an impeachment inquiry any way the House wants and no one can complain.

(2) Abuse of power

The President’s lawyers charge that “abuse of power” alleged in the first Article of Impeachment is not a crime, much less a “high” crime, nor a violation of constitutionally protected law. This argument fails. Due Process of Law concerns with regard to notice of what is prohibited. As Justice Antonin Scalia observed in United States v. Morrison, 529 U.S. 598, 610 (2000); see also United States v. Morrison, 529 U.S. 598, 610 (2000), “Where else than in the Senate could have been elected.”

Moreover, they argue that “abuse of power” is tantamount to “maladministration,” which is not a crime. There is little doubt that a vague and ambiguous charge in an Article of Impeachment can be a generalized accusation into which the House can lump all of their political, policy, and personal differences with a President. This should be avoided.

The House Managers say no crime is required for “abuse of power,” and that the House’s argument that abuse of power is part of the impeachment inquiry is constitutional. President Trump’s counsel argues that since Article II of the Constitution gives the House the “sole power of impeachment,” the President cannot question the procedures as a denial of Due Process of Law or authority to litigate. They argue that the House can preempt the Constitution. They can’t. As Chief Justice John Marshall wrote in Marbury v. Madison, “A law passed by a House is superior to any ordinary act of the legislature, [and] the Constitution, and not such ordinary act, must govern the case to which it plainly applies.”

While the Constitution gives the House the “sole power of impeach” it gives the Senate the “sole power to try all impeachements.” The House has analogized the Senate to a grand jury in criminal cases. Generally speaking, a grand jury may issue an indictment, also known as a “true bill,” only if it finds, based upon the evidence that has been presented to it, that there is probable cause to believe that a crime has been committed by a criminal suspect.

But impeachment is not, strictly speaking, a criminal case, even though the Constitution speaks in terms of “conviction” and the impeachment standard is “treason, bribery, or other high crimes and misdemeanors” (Article II, Section 4). Contrast that with Article I, Section 3, Clause 7: “The Party convicted shall nevertheless be liable and subject to Indictment, Trial, and Punishment, according to Law.” In other words, the constitutional prohibition of double jeopardy does not apply.

Neither are Senators jurors in the usual sense of being “disinterested” in the facts or outcome. Senators take the following oath: “Do you solemnly swear that in all things appertaining to the duty of the impeachment of Donald John Trump, President of the United States, now pending, you will do impartial justice according to the Constitution and laws, so help you God?”

Hamilton wrote in Federalist 65 the Senate was chosen as the tribunal for courts of impeachment because: “Where else than in the Senate could have been elected.”

(3) Obstruction of Congress

The House accused Donald Trump of obstruction of Congress, refusing to turn over documents and testimony to the House. The House Managers argue that since Article II of the Constitution gives the House the “sole power of impeachment,” the President cannot question the procedures as a denial of Due Process of Law or authority to litigate. They argue that the House can preempt the Constitution. They can’t. As Chief Justice John Marshall wrote in Marbury v. Madison, “A law passed by a House is superior to any ordinary act of the legislature, [and] the Constitution, and not such ordinary act, must govern the case to which it plainly applies.”

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(3) Obstruction of Congress

The House accused Donald Trump of obstruction of Congress, refusing to turn over documents and testimony to the House. The House Managers argue that since Article II of the Constitution gives the House the “sole power of impeachment,” the President cannot question the procedures as a denial of Due Process of Law or authority to litigate. They argue that the House can preempt the Constitution. They can’t. As Chief Justice John Marshall wrote in Marbury v. Madison, “A law passed by a House is superior to any ordinary act of the legislature, [and] the Constitution, and not such ordinary act, must govern the case to which it plainly applies.”

While the Constitution gives the House the “sole power of impeach” it gives the Senate the “sole power to try all impeachments.” The House has analogized the Senate to a grand jury in criminal cases. Generally speaking, a grand jury may issue an indictment, also known as a “true bill,” only if it finds, based upon the evidence that has been presented to it, that there is probable cause to believe that a crime has been committed by a criminal suspect.

But impeachment is not, strictly speaking, a criminal case, even though the Constitution speaks in terms of “conviction” and the impeachment standard is “treason, bribery, or other high crimes and misdemeanors” (Article II, Section 4). Contrast that with Article I, Section 3, Clause 7: “The Party convicted shall nevertheless be liable and subject to Indictment, Trial, and Punishment, according to Law.” In other words, the constitutional prohibition of double jeopardy does not apply.

Neither are Senators jurors in the usual sense of being “disinterested” in the facts or outcome. Senators take the following oath: “Do you solemnly swear that in all things appertaining to the duty of the impeachment of Donald John Trump, President of the United States, now pending, you will do impartial justice according to the Constitution and laws, so help you God?”

Hamilton wrote in Federalist 65 the Senate was chosen as the tribunal for courts of impeachment because: “Where else than in the Senate could have been elected.”
that Senators could use, literally, any standard they wished.

This is significant on the issue of the President’s motive in seeking a corruption investigation in Ukraine, one that included former Vice President Biden and his son, Hunter, and the company on whose board he served. House Managers argued, repeatedly, that President Trump did not care about Ukrainian corruption or burden sharing with allies and that his sole motive was to get information damaging to a political rival, Joe Biden.

President Trump’s lawyers contend that he has a record of concerns about burden sharing with allies, as he did, and produced several examples. At most, they say, his was a mixed motive—partly policy, partly political—and in any event it was not a true and thus not inconsistent with the House Managers’ version of events.

Therefore, the question arises: did the House Managers prove beyond a reasonable doubt that the sole motive for pursuing military aid to Ukraine was for his personal benefit? Or, did they fail to meet their burden?

Conclusion

Ultimately, the House Managers failed to prove beyond a reasonable doubt that the President’s sole motive for seeking any corruption investigation in Ukraine, including of Hunter Biden, was for a personal political interest. This is given the evidence of President Trump’s documented interest in financial burden sharing with allies, and the widely shared concerns, given by the Obama/Biden Administration, with corruption in Ukraine and the need to protect American taxpayers.

Moreover, none of the above conduct rises to the level of a “high crime and misdemeanor.” The first article, Abuse of Power, which charges no crime or violation of existing law is too vague and ambiguous to meet the Constitution’s requirements. It is simply a conclusion into which any disagreeable conduct can be lumped.

Finally, the second article, Obstruction of Congress, cannot be sustained on this record. This article’s conduct is too infamously, and it is repeatedly, that its subpoenas were largely unauthorized in the absence of a House resolution delegating its authority to a House committee. With that, the House Managers fail to enforce its subpoenas in the courts, essentially giving up efforts to do so in favor of expediting the House impeachment inquiry. The delay is not acceptable, before Christmas was prioritized over a judicial determination in the interbranch dispute.

ENDNOTES

1. See Declaration of Independence (“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their powers from the consent of the governed.”).

Mr. HAWLEY. Madam President, I come here today with the business of impeachment before this Chamber. It should hardly be necessary at this late juncture to outline again the train of abuses and distortions and outrights that have brought us to today's impeachment vote: the secret meetings in the Capitol basement; the closed hearings without due process or basic fairness; the failure of the House to follow their own rules and authorize an impeachment inquiry and then the bipartisan vote against impeachment; and the attempt to manipulate or even prevent a trial here in the Senate—holding the Articles of Impeachment for 33 days—in brazen defiance of the Constitution's mandates.

The House managers have given us the first purely partisan impeachment in our history and the first attempt to remove an elected President that does not even allege unlawful conduct.

Animating it all has been the bitter resentment of a professional political class that cannot accept the verdict of the people in 2016, that cannot accept the people's priorities, and that now seeks to overturn the election and entrench themselves in power. That is how we arrived at this moment, that is how we got here, and that is what this is really about.

Now it is time to bring this farce to a close. It is time to end this cycle of retribution and payback and bitterness that poisons the soul of our institutions. It is time to let the verdict of the people stand. So I will vote today to acquit the President of these charges.

You know, there has been a long period of a bipartisan effort to give them control over their own lives, young and old, with bills they can't pay. I mean the crisis of skyrocketing drug addiction that is driving down life expectancy in my State and across this Nation. I mean the crisis at the border, where those drugs are pouring across. I mean the crisis of skyrocketing healthcare costs, which burden families, young and old, with bills they cannot pay. I mean the crisis of affordable housing, a safe place to raise their children and build a life. I mean the crisis of trafficking and exploitation which robs our young girls and boys of a future and our society of their innocence. I mean the crisis of soaring and unfair education costs for those who go to college and the lack of good-paying jobs for those who don't. I mean the crisis of connectivity in our heartland, where too many schoolchildren can't access the Internet even to do their homework at night. I mean the crisis of unfair trade and lost jobs and broken homes. And I could go on.

My point is this: When I listen to the people of my State, I don't hear about impeachment. No, I hear about the problems of home and neighborhood, of family and community, about the loss of faith in our government and about the struggle to find hope for the future. This town owes it to these Americans—the ones who sent us here—finally to listen, finally to act, and finally to do something that really matters to them.

We must leave this impeachment circus behind us and ensure that our Constitution is never again abused in this way. It is time to turn the page. It is time to turn to a new politics of the people and to a politics of home. It is time to turn to the future—a future where this town finally accepts the people's will, that this town finally delivers for the people who elected them: a future where the middle of our society gets a fair shake and a level playing field; a future where maybe—maybe—this town will finally listen.

When I think of all the energy and all the effort that has been expended on this impeachment crusade over almost 3 years now, I wonder what might have been done.

Today is a sad day, but it does not have to remain that way. Imagine what we might achieve for the good of this Nation if we turn our energy and our effort to the work of the American people. Imagine what we could do to keep families in their homes and bring new possibility to the Nation's heartland and to care for our children in every part of this society. Imagine what we could do to lift up the most vulnerable and exploited and trafficked and give them new hope and new life. Imagine what we could do for those who have been forgotten, from our rural towns to our inner cities. Imagine what we could do to give them control over their own destinies.

We can find the common good. We can push the boundaries of the possible. We can rebuild this Nation if we will listen to the American people. Let us begin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Madam President, in this impeachment proceeding, I worked with other Senators to make sure that we had the right to ask for more documents and witnesses, but there was no need for more evidence to prove something that I believe had already been proven and that did not meet the U.S. Constitution's high bar for an impeachable offense.

There was no need for more evidence to prove that the President asked Ukraine to investigate Joe Biden and his son, Hunter. He said this on television on October 3, 2019, and he said it during his July 25, 2019, telephone call with the President of Ukraine.

There was no need for more evidence to prove that the President withheld United States aid, at least in part, to pressure Ukraine to investigate the Bidens. The House managers have proved this with what they called a "mountain of overwhelming evidence." One of the witnesses, Mr. Levits, testified that the President was "proved beyond a shadow of a doubt."

There was no need to consider further the frivolous second Article of Impeachment that would remove from the Presidency and future Presidents—remove it from the President for assembly his constitutional prerogative to protect confidential conversations with his close advisers.
It was inappropriate for the President to ask a foreign leader to investigate his political opponent and to withhold U.S. aid to encourage this investigation. When elected officials inappropriately interfere with such investigations, it undermines the principle of justice under the law. But the Constitution does not give the Senate the power to remove the President from office and from this year’s election ballot simply for actions that are inappropriate. The question then, is not whether the President did it but whether the Senate or the American people should decide what to do about what he did. I believe that the Constitution clearly provides that the people should make that decision in the Presidential election that began on Monday in Iowa.

The Senate has spent 11 long days considering this mountain of evidence, the arguments of the House managers and the President’s lawyers, their answers ‘‘perjured,’’ and the House record. Even if the House charges were true, they don’t meet the Constitution’s ‘‘Treason, Bribery, or other High Crimes and Misdemeanors’’ standard for impeachable offense.

That’s what made us free is our Constitution. The Framers believed that there never ever should be a partisan impeachment. That is why the Constitution requires a two-thirds vote of the Senate to convict. Yet not one House Republican voted for these articles. If it’s shallow, hurried, and wholly partisan impeachment were to succeed, it would rip the country apart, pouring gasoline on the fire of cultural divisions that already exist. It would create a weapon of perpetual impeachment to be used against future Presidents whenever the House of Representatives is of a different political party.

Our founding documents provide for duly elected Presidents who serve with ‘‘the consent of the governed.’’ Not at the pleasure of the U.S. Congress. Let the people decide.

A year ago, at the Southeastern Conference basketball tournament, a friend of 40 years sitting in front of me turned to me and said: ‘‘I am very unhappy with you for voting against the President.’’ She was referring to my vote against the President’s decision to spend money that Congress hadn’t appropriated to build the border wall. I told her now that the U.S. Constitution gives to the Congress the exclusive power to appropriate money. This separation of powers creates checks and balances in our government that preserve our individual liberty by not allowing, in that case, the Executive to have too much power.

I replied to my friend: ‘‘Look, I was not voting for or against the President. I was voting for the United States Constitution.’’ Well, she wasn’t convinced.

This past Sunday, walking my dog Rufus in Nashville, I was confronted by a neighbor who said she was angry and crushed by my vote against allowing more witnesses in the impeachment trial. ‘‘The Senate should remove the President for extortion,’’ she said.

I replied to her: ‘‘I was not voting for or against the President. I was voting for the United States Constitution, which, in my view, does not give the President the authority to ask the President from his office and from this year’s election ballot simply for actions that are inappropriate. The United States Constitution says a President may be convicted only for ‘Treason, Bribery, and other High Crimes and Misdemeanors.’ President Trump’s actions regarding Ukraine are a far cry from that. Plus, I said, ‘unlike the Nixon impeachment, when almost all Republicans voted to initiate an impeachment inquiry, not one single Republican voted to initiate this impeachment inquiry against President Trump. The Trump impeachment, I said to her, was a completely partisan action, and the Framers of the United States Constitution, especially James Madison, intended we should never ever have a partisan impeachment. That would undermine the separation of powers by allowing the House of Representatives to immobilize the executive branch, as well as the Senate, by a perpetual partisan series of impeachments.’’ Well, she was not convinced.

When our country was created, there never had been anything quite like it—a democratic republic with a written Constitution. The greatest innovation was the separation of powers among the Presidency, the Supreme Court, and the Congress.

The late Justice Scalia said this of checks and balances: ‘‘Every tin horn dictator in the world today, every president for life, has a Bill of Rights. . . . What has made us free is our Constitution.’’ What he meant was, what makes the United States different and protects our individual liberty is the separation of powers and the checks and balances in our Constitution.

The goal of our Founders was not to have a King or President. The principle reason our Constitution created a U.S. Senate is so that one body of Congress can pause and resist the excesses of the Executive branch. Popular passions that could run through the hands of Representatives like a freight train.

The language of the Constitution, of course, is subject to interpretation, but on some things, its words are clear. The President cannot spend money that Congress doesn’t appropriate— that is clear—and the Senate can’t remove a President for anything less than treason, bribery, high crimes and misdemeanors, and two-thirds of us, the Senators, must agree on that. That requires a bipartisan consensus. We Senators take an oath to base our decisions on the provisions of our Constitution, which is what I have endeavored to do during this impeachment proceeding.

Madam President, I ask unanimous consent to include a few documents in the RECORD following my remarks. They include an editorial from February 2 from the Wall Street Journal; an editorial from the National Review, also dated February 3; an opinion editorial by Robert Doar, president of the American Enterprise Institute on February 1; an article from KnoxTNToday, the Tennessee Republican, who isn’t running for re-election this year, was a decisive vote in the narrowly divided Senate on calling witnesses. He listened to the evidence and arguments from both sides, and then he offered his sensible judgment: Even if Mr. Trump did what House managers charge, it still isn’t enough to remove a President from office. ‘‘It was inappropriate for the president to ask a foreign leader to investigate his political opponent and to withhold United States aid to encourage that investigation.’’ Mr. Alexander said in a statement Thursday night. ‘‘But the Constitution does not give the Senate the power to remove the President from office and ban him from this year’s ballot simply for actions that are inappropriate.’’

The House managers had proved their case to his satisfaction even without new witnesses, Mr. Alexander added, but ‘‘they do not meet the Constitution’s ‘treason, bribery, or other high crimes and misdemeanors’ standard for an impeachable offense.’’

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Nebraska Sen. Ben Sasse told reporters: ‘‘I don’t think it’s an abdication. It’s a wise judgment based on what Mr. Trump did and the rushed, partisan nature of the House impeachment. Mr. Trump was wrong to ask Ukraine to investigate Joe and Hunter Biden, and wrong to use U.S. aid as leverage. His call with Ukraine’s President was far more serious. It was reckless and self-destructive, as Mr. Trump often is. Nearly all of his advisers and several Senate Republicans opposed his actions. Sen. Ron Johnson lobbied Mr. Trump hard against the aid delay, and in the end the aid was delivered within the fiscal year and Ukraine did not begin an investigation.

Even the House managers did not allege specific crimes in their impeachment articles. For those who want the best overall account of what happened, we recommended the Nov. 18 letter that Mr. Johnson wrote to House Republicans.

Mr. Alexander’s statement made two other crucial points. The first is that partisan removal of Mr. Trump would do to the country.
Since we already know the core of what happened, Alexander explained, there was no need to hear from additional witnesses in the Senate trial. (On this theory of the case, the House impeachment and Senate impeachment trial was not a trial in the legal sense, but rather a hearing to determine whether the charges warranted a full Senate trial, which was held in private and did not include a jury.)

We take the position that the Constitution does not give the Senate the power to try a president. It was the Framers’ intention that the Senate, as the co-equal legislative branch of government, have the authority to state the Articles of Impeachment and begin the trial, but that the final decision of whether the president should be removed from office be made by the House of Representatives.

The constitutional routine that would restore the people’s will through the House of Representatives is of a different political party. The Framers believed that the House, with its geographic representation, was best suited to decide what to do about what he did, his statement said. “Our founding documents provide for duly elected presidents who serve with ‘the consent of the governed,’ not at the pleasure of the United States Congress. Let the people decide.”

The ouster of Mr. Trump, the political outsider, on such slender grounds would be seen by half the country as an insider coup d’état. Unlike Richard Nixon’s resignation, it would never be accepted by Mr. Trump’s voters, who would wave it as a bloody flag for years to come. Payback against the next Democratic President when the Republicans take back the House of Representatives is a certain disaster.

Mr. Alexander directed Americans to the better solution of our constitutional bedrock. Our system of government, he said, is not whether the president did it, but whether the United States Senate or the American people should decide what to do about what he did,” his statement said. “Our founding documents provide for due process of law, the right to counsel, the right to confront one’s accusers, the right to an impartial jury, the right to appeal a conviction by a trial court, rendering a judgment on a threshold question of law, rather than a trial court sitting through the facts.”

In the context of Alexander’s statement, other Senate Republicans endorsed his line of analysis, which, it must be noted, is superior to the defense mounted by the White House legal team over the last two weeks. Because the president refused to acknowledge what he did, his team implausibly denied that he did it and equivocated (if he’s guilty of a criminal violation. This is an abuse of power, Alan Dershowitz argued this position most aggressively for the president’s defense, and made it even worse by baldly suggesting that it is okay to argue that anything a president does to advance his reelection is properly motivated.

As for the House managers, they were at their strongest making the case that the president had done what they alleged, and their weakest arguing that he should be removed for it. They tried to inflate the gravity of Trump’s offense by repeatedly calling it “election interference.” At the end of the day, though, what Trump’s team sought was not an investigation of Joe or Hunter Biden, but a statement by the Ukrainians that they’d look into Burisma, the Ukrainian company on whose board Hunter Biden sat. The firm has a shady past and has been investigated before. Trump should have steered clear of anything involving his potential employers, and I’m convinced that a new Burisma probe would have had any effect on 2020 (the vulnerability for Biden is Ukraine somehow endangered our national security, a risible claim given that the Ukrainians get the aid and that Trump has provided Ukraine legal aid that assistance that President Obama never did.

They accused the president of obstruction of justice for asserting privileges invoked by his other presidents and not producing documents and witnesses on the House’s accelerated timeline, a charge that White House counsel Pat Cipollone correctly dismissed.

Finally, they insisted that a trial without witnesses wouldn’t be fair, despite making the same argument for their own witnesses during their own rushed impeachment inquiry.

As for the Senate trial being a “cover up,” as Democrats now insist it is, there is nothing stopping the House—or the Senate, for that matter—from seeking testimony from the White House’s witnesses. The Senate trial was a ploy to rip the country apart, as it has been a part of Trump’s rhetorical strategy for almost three years, hankering for a new investigation into the 2016 election.

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under suspicion, he tried to manipulate these agencies to interfere with the investigation.

President Trump’s conduct toward Ukraine, though inappropriate, differs significantly from one of the impeached president’s actions. Where Nixon’s impeachable abuse of power occurred over a period of several years, the conduct challenged by the House’s impeachment was almost instantaneous. From July to September of last year, Trump attempted to cajole a foreign government to open an investigation into his political opponent, and he was caught doing it—wrong. But it’s not the same as what Nixon did over multiple years.

This contrast brings to light a critical difference between the House’s behavior in 1974 and its efforts today. When Nixon’s actions came to light, the House conducted an impeachment the right way: The House Judiciary Committee would have pored over all the evidence, built up a theory of the case which matched the Constitution’s requirements, and produced charges that implicated the president and his subordinates in a pattern of impeachable conduct. Faced with certain impeachment and removal from office, Nixon resigned. What Trump attempted to do, as Alexander rightly sees, is not that.

Alexander is right about one other thing—we should let the people decide who our next president should be.

[From the Knox TN Today, Feb. 4, 2020]

LAMAR WAS RIGHT

(By Frank Caugle)

Since I’m older than dirt, there have been occasions over the years when first-term state legislators would ask me if I had any advice for them. Yes.

When a major and controversial issue looms it study, decide where you are and let everyone know where you are. In other words, pick a lane in one lane you have a reason for keeping your word, and do not be known as a member who will go where the wind blows.

Make sure you do not get into the group known as the undecideds. You will get hammered by both sides, wooed by both sides and hounded by the media. And, finally, do not under any circumstances be the deciding vote. Yours will be the only vote anyone remembers.

You would think someone who has been around as long as Lamar Alexander could avoid this trap. But not so. In the impeachment trial of President Trump, he got the label undecided, he was then hounded by the media and hammered by both sides over whether he would march in lockstep with Majority Leader Mitch McConnell or whether he would vote to call more witnesses who say someone left the scene of an accident, why do you need nine? I mean, the question for me was, do I need more evidence to conclude that the president did what he did? And I concluded no. So I voted.

Todd: What do you believe he did?

Alexander: What I believe he did. One, was that he called the president of Ukraine and asked him to become involved in investigating Joe Biden, who was—

Todd: You believe his wrongdoing began there, not?

Alexander: I don’t know about that, but he admitted that. The president admitted that. He released the transcript. He said it on television. Second thing was, at least in part, he delayed the military and other assistance to Ukraine in order to encourage that investigation. Those are the two things I did, I think he shouldn’t have done it. I think it was wrong. Inappropriate was the way I’d say it, improper, crossing the line. And then the only question left is, who decides what to do with that?

Todd: Well, who decides what to do with that?

Alexander: The people. The people is my conclusion. You know, it struck me really for the first time early last week, that we’re not just being asked to remove the president from office. We’re saying, tell him you can’t do that. Trump won in the 2020 election, which begins Monday in Iowa.

Todd: If this weren’t an election year, would you decide differently?

Alexander: I would have looked at it differently and probably come to the same conclusion because I think what he did is a long list of high crimes and misdemeanors. I don’t think it’s the kind of inappropriate action that the framers would expect the Senate to substitute its judgment for the people.

Todd: Does it bear on you that one of the foundational ways that the framers wrote the constitution was almost fear of foreign interference. Alexander: That’s true. Todd: So, and here it is.

Alexander: Well, if you hooked up with Ukraine to wage war on the United States, as the first Senator from Tennessee did, you’ve got a problem. Or what. What if the president should have done was, if he was upset about Joe Biden and his son and what they were doing in Ukraine, he should’ve called the Attorney General and him and let the Attorney General handle it the way they always handle cases that involve public things.

Todd: Do you think he didn’t do that?

Alexander: Maybe he didn’t know to do it.

Todd: Okay. This has been a rationale that I heard from a lot of Republicans. Well boy, he’s still new to this.

Alexander: Well, a lot of people come to Washington—

Todd: At what point though, is he no longer new to this?

Alexander: The bottom line is not an excuse. He shouldn’t have done it. And I said he shouldn’t have done it and now I think it’s up to the American people to say, okay, good economy, lower taxes, conservative judges, that’s what I voted for.

Todd: Are you at all concerned though when you seek foreign interference? He does not believe he’s done anything wrong. What has happened here might encourage him that he can continue to do, I guess?

Alexander: I don’t think so. I hope not. I mean, enduring an impeachment is something that nobody should like. Even the president said he didn’t want that on his resume. I don’t blame him. So, if a call like that gets you an impeachment, I would think he would think twice before he did it again.

Todd: What example in the life of Donald Trump has he been chastened?

Alexander: I haven’t studied his life that close, but, like most people who survive to make it to the Presidency, he’s sure of himself. But hopefully he’ll look at this and say, okay, that was a mistake I shouldn’t have done that, shouldn’t have done it that way. And he’ll focus on the strengths of his Administration, which are considerable.

Todd: Abuse of power?

Alexander: Well, that’s the problem with abuse of power. As Professor Dershowitz said during his argument, he kept saying he wasn’t a disgraced border who’d been accused of abuse of power from Washington to Obama. So it’s too vague a standard to use to impeach a president. And the founders didn’t use it. I mean, they said, I mean, think of what a high bar they set. They said treason, bribery, high crimes or misdemeanors. And then they said it couldn’t be done during a war. And then they said—you couldn’t be expelled, but this wasn’t that. What happens now?

Alexander: At the time they used it, misdemeanor meant a different thing in Great Britain. But I think it was right. It was something akin to treason, bribery and other high crimes and misdemeanors, very high. And then in addition to that, two thirds of us in the Senate have to agree to that, which is very hard to do, which is why we’ve never removed a president this way in 232 years.

Todd: One of your other reasons was the partisan nature of the impeachment vote itself in the House. Except now we are about to conduct a partisan impeachment vote in the House with a partisan, I guess. I don’t know what we would call this right now.

Alexander: Well you all it acquittal. That’s what we call it.

Todd: An acquittal, but essentially also, on how the trial was run—a partisan way from
the trial. So, if we make bipartisanship a standard, if somebody has a stranglehold on a base of a political party, then what you're saying is, you can overcome any impeachable crime if you have this stranglehold on a group of people.

Alexander: Well, as far as what the Senate did, I thought we gave a good hearing to the case. And when they vote them down, they dismiss it. We heard it. There were some who wanted to dismiss it. I helped make sure that we had a right to ask for more evidence if we needed it. And I thought, when we heard it, we saw videotapes of 192 times that witnesses testified. We sat there for 11 and 12 hour days for nine days. So, I think we heard the case. I think the parts of it, the most important point to me, James Madison, others thought there never, ever should be a wholly partisan impeachment. And if you look at Nixon, when the vote that authorized that inquiry was 410 to four and you look at Trump, where not a single Republican voted for it. If you start out with a partisan impeachment, you're almost destined to have a partisan acquittal.

Todd: Alright, but what do you do if you have a president who has the ability to essentially be a populist? You know, be somebody who is able to say it's fake news. It's deep state. Don't trust this. Don't trust that. The establishment, this. And then, you don't worry about truth anymore. Don't worry about what you hear over there. I mean, some may say I'm painting an accurate picture. Some may say I'm painting an accurate picture. But how do you prevent that?

Alexander: Well, the way you prevent that in our Constitution, according to the Declaration of Independence, is we have duly elected presidents with the consent of the governed. So we vote them out of office. The other thing that in the Nixon case, Nixon had just been elected big in 1972 big time, only lost one state, I think. But then a consensus developed, a bipartisan consensus, that what he was doing was wrong. And then when they found the crimes, he only had 10 or 12 votes that would have kept him in the Senate. So he quit. So those are the two options you have.

Todd: Have we essentially eliminated impeachment as a tool for a first-term president?

Alexander: No, I don't think so. I think impeachment as a tool should be rarely used and it's never been used in 230 years to remove a president. There have been 61 investigations, eight convictions. They're all federal judges on a lower standard.

Todd: Does it bother you that the president's lead lawyer, Pat Cipollone, is now fingered as being in the room with John Bolton the first time the president asked John Bolton to call the new President of Ukraine and bring up the charge of a part in the demonstration in the Baltic States where Russians have a big warehouse in St. Petersburg in Russia where they're devoted to destabilizing Western democracies. I mean, for example, in one of the Baltic States, they accused a NATO officer of raping a local girl—of course it didn't happen, but it threw the government in a complete array for a week. So I think we need to be sensitive to the fact that the Russians are out to do no good to destabilize Western democracies, including us. And be very wary of the theories that Russians come up with and peddle.

Todd: Well, I was just going to say this, is it now apparent to us in the Senate that the Baltic States in this phone call and you clearly are judging him on the phone, more so than.

Alexander: Well the phone call and the evidence beyond this impeachment evidence, I mean, the House managers came to us and said, we have overwhelming evidence. We have a mountain of evidence and we approve it beyond a shadow of a doubt. Which made me think, well then why do you need more evidence?
Impeachment is serious. It’s the “Break Glass in Case of Emergency” provision of the Constitution.

I plan to vote against removing the president, and I write to explain this decision to the Nebraskans on both sides who have advocated impeachment.

An impeachment trial requires senators to carry out two responsibilities: We’re jurors sworn to “do impartial justice.” We’re also elected officials responsible for promoting the civic welfare of the country. We must consider both the facts before us, and the long-term effects of the verdict rendered. I believe removal is the wrong decision.

Let’s start with the facts of the case. It’s clear that the president had mixed motives in his decision to temporarily withhold military aid from Ukraine. The line between personal and public was not firmly safeguarded. But it is important to understand, whether one agrees with him or not, three things:

1. President Trump believes:
   - He believes foreign aid is almost always a bad deal for America. I don’t believe this, but he has maintained this position consistently since the 1980s.
   - He believes the American people need to know the 2016 election was legitimate, and he believes that they were选总统的人挑总统的候选人。About this, he’s right.
   - He believes the Crowdstrike theory of 2016, that Russia conducted significant meddling in our election. I don’t believe this theory, but the president has heard it repeatedly from people he trusts, chiefly Rudy Giuliani, and he believes it.

These beliefs have consequences. When the president spoke to Ukraine’s president Zelensky in July 2019, he seems to have believed he was doing something that was simultaneously good for America, and good for himself politically—namely, reinforcing the legitimacy of his 2016 victory. It is worth remembering that that phone call occurred just days after Robert Mueller’s two-year investigation into the 2016 election concluded that “the investigation did not establish that members of the Trump campaign conspired or coordinated with the Russian government in its election interference activities.”

This is not a blanket excuse, of course. Some of the president’s lawyers have admitted that the way the administration conducted its investigation toward Ukraine was wrong. I agree. The call with Zelensky was certainly not “perfect,” and the president’s defense was made weaker by staking out an unrepentant position.

Moreover, Giuliani’s off-the-books foreign policy-making is unacceptable, and his role in walking the president into this airplane prop is overappreciated: His Crowdstrike theory was a bonkers attempt not only to validate Trump’s 2016 election, and to flip the media’s narrative of Russian interference but to embarrass the opposition. One certainty from this episode is that America’s Mayor shouldn’t be any president’s lawyer. It’s time for the president and his team to usher Rudy off the stage—and to ensure that we do not normalize rogue foreign policy conducted by political operatives with murky financial interests.

There is no need to hear from any 18th impeachment witness, beyond the 17 whose testimony the Senate reviewed, to confirm facts we already know. One concrete example is that John Bolton’s entire testimony would support Adam Schiff’s argument, this doesn’t add to the reality already established: The aid delay was wrong.

But in the end, the president wasn’t seduced by the most malign voices; his honest, high more visibly badgered the aid the law required. And importantly, this happened three weeks before the legal deadline. To repeat: The president’s official staff repeatedly pressured Ukraine, ultimately got the money, and no political investigation was initiated or announced.

You didn’t need to initially listen to bad advisors but eventually take counsel from better advisors—which is precisely what happened here.

There is another prudential question, though, beyond the facts of the case: What is the right thing for the long-term civic health of our country? Will America be more stable in 2030 if the Senate—nine months from Election Day 2020—removes the president?

In our Constitution’s 232 years, no president has ever been removed from office by the Senate. Today’s debate comes at a time when our institutions of self-government are suffering a profound crisis of legitimacy, on both sides of the aisle. This is not a new crisis since 2016; its sources run much deeper and longer.

We need to shore up trust. A reckless removal attempt leaves America more divided, instead of setting the nation on fire. Half of the citizenry—tens of millions who intended to elect a disruptive outsider—would conclude that D.C. insiders overruled their vote, overturned an election and struck their preferred candidate from the ballot.

This one-party removal attempt leaves America even more bitterly divided. It makes it more likely that impeachment, intended as a tool of last resort for the most serious presidential crimes, becomes just another bludgeon in the bag of tricks for the party out of power. And more Americans will conclude that constitutional self-government today is nothing more than partisan bloodsport.

We must do better. Our kids deserve better. Most of the restoration and healing will happen far from Washington, of course. But this week, senators have an important role: Get out of the way, and allow the American people to render their verdict on election day.

Mr. Sasse. Thank you.

The PRESIDING OFFICER (Mr. Sasse). The time for Mr. Sasse is expired.

Ms. HARRIS. Mr. President, when the Framers wrote the Constitution, they didn’t think someone like me would serve as a U.S. Senator, but they did envision someone like Donald Trump being President of the United States, someone who thinks he is above the law and that rules don’t apply to him. So they made sure our democracy had the tool of impeachment to stop that kind of abuse of power.

The tools in the Constitution have clearly laid out a compelling case and evidence of Donald Trump’s misconduct. They have shown that the President of the United States of America withheld military aid and a coveted White House meeting for his political gain. He withheld a foreign country to announce—not actually conduct, announce—an investigation into his political rivals. Then he refused to comply with congressional investigations into his misconduct. Unfortunately, a majority of U.S. Senators conceded that what Donald Trump did was wrong, are nonetheless going to refuse to hold him accountable.

The Senate trial of Donald Trump has been a miscarriage of justice. Donald Trump is going to get away with abusing his position of power for personal gain, abusing his position of power to stop Congress from looking into his misconduct and falsely claim he has been exonerated. He is going to escape accountability because a majority of Senators have decided to let him. They voted repeatedly to block key evidence like witnesses and documents that could have shed light on the full truth.

We must recognize that still in America there are two systems of justice—one for the powerful and another for everyone else. So let’s speak the truth about what our two systems of justice actually mean in the real world.

It means that in our country too many people walk into courthouses and face systemic bias. Too often they lack adequate legal representation whether they are overworked, underpaid, or both. It means that a young man named Emmett Till was falsely accused and then murdered, but his murderers weren’t required to spend a day in jail. It means that four young Black men have their lives taken and turned upside-down after being falsely accused of a crime in Groveland, FL. It means that, right now, too many people in America are sitting in jail without having yet been convicted of a crime but simply because they cannot afford bail. And it means that future Presidents of the United States will remember that the U.S. Senate failed to hold Donald Trump accountable, and they will be emboldened to abuse their power knowing there will be no consequence.

Donald Trump knows all this better than anybody. He may not acknowledge that we have two systems of justice, but he knows the institutions in this country, be it the courts or the Senate, are set up to protect powerful people like him. He told us as much when, regarding the sexual assault of women, he said, “You let them do it. You can do anything.” He said that article II of the U.S. Constitution gives him, as President, the right to do whatever he wants.

Trump has shown us through his words and actions that he thinks he is above the law. And when the American people see the President acting as though he is above the law, it undermines leaves the trust of our system of justice, distrustful of our democracy. When the U.S. Senate refuses to hold him accountable, it reinforces that loss of trust in our system.

Now, I am under no illusion that this body is poised to hold this President accountable, but despite the conduct of the U.S. Senate in this impeachment trial, the American people must continue to strive toward the more perfect Union that our Constitution promises. It is going to take all of us—in every State, every town, everywhere—to continue fighting for the best of who we
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are as a country. We each have an important role to play in fighting for those words inscribed on the U.S. Supreme Court building: “Equal Justice Under Law.”

Frederick Douglass, who I, like many, regard as one of the Founders of our Nation, wrote that “the whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest struggle.”

The impeachment of Donald Trump has been one of those earnest struggles for liberty, and this fight, like so many before it, has been a fight against tyranny. This struggle has not been an easy one, and it has left too many people across our Nation feeling cynical. For too many people, this trial confirmed something they have always known, that the real power in this country lies not with them but with just a few people who advance their own interests at the expense of others’ needs. Nothing has been as much at risk in this trial as yet another example of the way that our system of justice has worked or, more accurately, failed to work.

But here is the thing. Frederick Douglass also told us that “if there is no struggle, there is no progress.” For him, this trial was yet another example of the way that our system of justice has worked or, more accurately, failed to work.

In order to wrestle power away from the few people at the very top who abuse their power, the American people are going to have to fight for the voice of the people and the power of the people. We must go into the darkness to shine a light, and we cannot be deterred and we cannot be overwhelmed and we cannot ever give up on our country.

We cannot ever give up on the ideals that are the foundation for our system of democracy. We can never give up on the meaning of true justice. And it is part of our history, our past, our present, and our future that, in order to make these values real, in order to make the promise of our country real, we can never take it for granted.

There will be moments in time, in history, where we experience incredible disappointment, but the greatest disappointment of all will be if we give up. We cannot ever give up fighting for who we know we are, and we must always see who we can be, unburdened by who we have been. That is the strength of our Nation.

So, after the Senate votes today, Donald Trump will want the American people to feel cynical. He will want us not to care. He will want us to think that he is all powerful and we have no power, but we are not going to let him get away with that.

We are not going to give him what he wants because the true power and potential of the United States of America resides with the President but with the people—all the people.

So, in our long struggle for justice, I will do my part by voting to convict this lawless President and remove him from office, and I urge my colleagues to join me on the right side of history. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, considering whether to convict a President of the United States on Articles of Impeachment is a solemn and consequential duty, and I do not take it lightly. Even before we had a country, our Founders set the notion of “country first,” pledging in the Declaration of Independence their lives, fortunes, and sacred honor—a pledge they made to an idea, imagining and hoping for a country where no one was above the law, where no one had absolute power.

My dad, a World War II veteran, and my mom raised me to understand that this is what made our country the unique and indispensable democracy that it is.

My obligation throughout this process has been to listen carefully to the case that the House managers put forward and the defenses asserted by the President’s lawyers, and then to carefully consider the constitutional basis for impeachment, the intent of our Founders, and the facts.

That is what I have done over the past few days. The Senate heard extensive presentations from both sides and answers to the almost 200 questions that Senators posed to the House managers and the President’s advocates.

The facts clearly showed that President Trump abused the public’s sacred trust by using taxpayer dollars to exert a foreign government into providing misinformation about a feared political opponent.

Let me repeat that. The President of the United States used taxpayer money that had been authorized, obligated, and cleared for delivery as critical aid to Ukraine Marie Yovanovitch and William Taylor, as well as current members of the administration.

These Americans who came forward were doing exactly what we always ask of our citizens: If you see something wrong, you need to speak up; “See something, say something.” It is a fundamental part of citizenship to alert each other to danger, to act for the greater good, to care about each other and our country without regard to political party.

When Americans step forward, sometimes at real risk to themselves, they rightly expect that their government will take the information they provide and act to make them safer, to protect their fundamental rights. That is the understanding between the American people and their representative government.

While the brave women and men who appeared before the House did their jobs, the Senate, under this majority, has unfortunately not. Rather than gathering full, relevant testimony under oath and with the benefit of cross-examination, the Senate majority has apparently decided that despite all the evidence, they are not interested in learning more: not interested in learning more about how a President, his personal agent, and members of his administration corrupted our foreign policy and put our Nation’s security at risk; not interested in learning more about how they planned to use the power of his office to tilt the scales of the next election to ensure that he stays in power; not interested in learning more about how they worked to cover it up.

Increasingly, over the last few days, the President’s defense team and more and more of my colleagues in the Senate have acknowledged the facts of the
President’s scheme. Their argument has shifted from “He didn’t do it” to “He had a right to,” to “He won’t do it again,” or even “It doesn’t really matter.” I disagree so strongly.

The Constitution of our country, established by the very rejection of a monarchy, the President has absolute power is absurd, as is the idea that this President, whose conduct is ultimately the cause of this entire process, will suddenly stop. President Trump continues to unite foreign powers to interfere with our elections, maintaining to this day that “it was a perfect call.”

Our Founders knew that all people, all leaders, are fallible human beings. And they knew that our system of checks and balances could survive some level of human frailty, even in as important an office as the Presidency.

The one thing that they feared it could not survive was a President who would suddenly stop before the interests of the American people or who didn’t understand the difference between the two. As citizen-in-chief, and one wielding enormous power, Presidents must put country first.

Our Founders believed that they were establishing a country that would be unique in the history of humankind, a country that would be indispensable, built on the rule of law, not the whims of a ruler. Generation after generation of Americans have fought for that vision because of what it has meant to our individual and collective success and to the progress of humankind worldwide.

That is the America that I have sworn an oath to protect. I will vote in favor of both Articles of Impeachment because the President’s conduct requires it. Congress’s responsibility as a coequal branch of government requires it, and the very foundation and security of our American idea requires it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, on the day I was sworn in as a United States Senator, I took an oath to protect and defend the Constitution. Just last month, at the beginning of the impeachment trial, I took a second oath to do fair and impartial justice, according to the same Constitution I swore to protect.

As I took the oath and throughout the impeachment trial, I couldn’t help but think of my father. As many of you know, I lost my dad over the holiday recess. While so many were arguing over whether or not the Speaker of the House should send Articles of Impeachment to the Senate, I was struggling with watching him slip away, while only occasionally trying to weigh in with my voice to be heard about the need for a fair and transparent impeachment trial.

My dad was a great man, a loving husband, father, grandfather, and great-grandfather who did his best to instill in me the values of right and wrong as I grew up in Fairfield, Alabama, a hero and a patriot who loved this country. Although, fortunately, he was never called on to do so, I firmly believe he would have placed his country even above his family because he knew and understood full well what America and the freedoms and liberties that come with her mean to everyone in this great country and, significantly, to people around the world.

I know he would have put his country before any allegiance to any political party or cause. He was the younger side of that “greatest generation” who joined the Navy at age 17 to serve our great military. That service and love of country shaped him into the man of principle that he was, instilling these principles into me. In thinking of him, his patriotism, his principles, and how he raised me, I am reminded of Robert Kennedy’s words that were mentioned in this trial:

Few men are willing to brave the disapproval of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change the world that yields most painfully to change.

Candidly, to my colleagues on both sides of the aisle, I fear that moral courage, country before party is a rare commodity. One can write about it and talk about it in speeches and in the media, but it is harder to put into action when political careers may be on the line. Nowhere is the dilemma more difficult than in an impeachment of the President of the United States. Very early on in this process, I implored my colleagues on both sides of the aisle, in both Houses of Congress, to stay out of their political and partisan corners. Many did, but so many did not. Even the media continually view this entire process through partisan, political eyes and how it may or may not affect an election. That is unfortunate. The country deserves better, and we must find a way to move beyond such partisan divides.

The solemn oaths that I have taken have been my guides during what has been a difficult time for the country, my State, and for me personally. I did not run for the Senate hoping to participate in the impeachment trial of a duly elected President, but I cannot and will not shrink from my duty to defend the Constitution and to do impartial justice.

In keeping with my oath as Senator and my oath to do impartial justice, I resolved that throughout this process, I would keep an open mind, to consider the evidence without regard to political affiliation, and to hear all of the evidence before making a decision on either charge against the President. I believe that my votes later today will reflect that commitment.

With the eyes of history upon us, I am acutely aware that precedents that this impeachment trial will set for future Presidencies and Congresses. Unfortunately, I do not believe that those precedents are good ones. I am particularly concerned that we have set a precedent that the Senate does not have to go forward with witnesses or review documents, even when those witnesses have firsthand information and the documents would allow us to test not just the credibility of witnesses but also test the words of counsel of both parties.

It is my firm belief that the American people deserve more. In short, witnesses and documents would provide the Senate and the American people with a more complete picture of the truth. I believe the American people deserve nothing less.

That is not to say, however, that there is not sufficient evidence in what we have rendered here.

As a trial lawyer, I once explained this process to a jury as like putting together the pieces of a puzzle. When you open the box and spread all the pieces on the table, it is just an incoherent jumble. But one by one, you hold those pieces up, and you hold them next to each other and see what fits and what doesn’t. Even if, as was often the case in my house growing up, you are missing a few pieces—even important ones—you more often than not see the picture.

As I have said many times, I believe the American people deserve to see a completed puzzle, a picture with all of the pieces—pieces in the form of documents and witnesses with relevant, firsthand information, which would have provided valuable context, corroboration, or contradiction to that which we have heard. But even with missing pieces, our common sense and life’s experiences allow us to sketch the picture as it comes into full view.

Throughout the trial, one piece of evidence continued to stand out for me. It was the President’s statement that he has unbridled power, unchecked by Congress or the Judiciary or anyone else. That view, dangerous as it is, explains the President’s actions toward Ukraine and Congress.

The sum of what we have seen and heard is, unfortunately, a picture of a President who has used the great power of his office for personal gain—a picture of a President who has placed his personal interest well above the interests of the Nation and, in so doing,
threatened our national security, the security of our European allies, and the security of Ukraine. The evidence clearly proves that the President used the weight of his office and the weight of the U.S. Government to seek to coerce a foreign government to interfere in our domestic political process in violation of the Constitution. The evidence unambiguously proves that the President jeopardized our national security.

When I was a lawyer for the Alabama Judicial Inquiry Commission, there was a saying at the courthouse, "a man is only as good as his last case." What is the last case in the impeachment proceedings I fear will be set when the majority chooses to side with the President over the Constitution's checks and balances.

The House of Representatives voted to impeach the President for abuse of power and obstruction of Congress. Based on the uncontested evidence, I concur.

It is clear that President Trump and others, such as Mr. Giuliani, who was serving as the President's lawyer, attempted to coerce the newly elected President of Ukraine to announce two sham investigations, including one that sought to directly damage President Trump's rival in the upcoming election. The President's actions served his personal and political needs, not those of our country. His efforts to withhold military aid to Ukraine for his own personal benefit undermined our national security.

The second article of impeachment charges the President with obstruction of Congress for blocking testimony and refusing to provide documents in response to House subpoenas in the impeachment inquiry. Again, the House managers produced overwhelming evidence of the President's obstruction and his efforts to cover up his malfeasance.

The President's counsel offered a number of unpersuasive arguments against this article, which fail to overcome the following: first, that the legislative branch has sole power over impeachment under the Constitution. That could not be more clear; second, past precedents of prior administrations and court rulings; and third, the President's actions were more sacred than the right to vote and respecting the will of the people. But I am also mindful that when our Founders wrote the Constitution, they envisioned a time or at least a possibility that our democracy would be more damaged if we fail to impeach and remove a President. Such is the moment in history we find ourselves in.

The gravity of this moment, the seriousness of the charges, and the implications for future Presidencies and Congress have all contributed to the difficulty at which I arrived at my decision. I am mindful that I am standing at a desk that once was used by John F. Kennedy, who famously wrote "Profiles in Courage," and there will be so many who simply look at what I am doing today and say that it is a profile in courage. It is not. It is simply a matter of right and wrong, where doing right is not a courageous act; it is simply following your oath.

This has been a divisive time for our country, but it has nonetheless been an important constitutional process for us to follow. As this chapter of history draws to a close, one thing is clear to me: We have come to a moment when we need to ensure that our democracy is upheld.

I yield the floor.

The PRESIDING OFFICER. Mr. Reed, the gentleman from Rhode Island.

Mr. REED. Mr. President, today the Senate is called upon to uphold our oath of office and our duty to the Constitution because President Trump failed to do so himself. After listening closely to the impeachment managers and the President's defense team, weighing the evidence that was presented to us, and being denied the opportunity to see relevant documents and hear from firsthand witnesses, I will vote to find President Trump guilty on both Articles of Impeachment.

The evidence shows President Trump deliberately and illicitly sought foreign help to manufacture a scandal that would exonerate him by tarnishing a political rival. He attempted to undermine our democracy, using U.S. taxpayer money in the form of U.S. military aid for Ukraine as leverage for his own personal benefit. The President's aides whispered in private under the cover of impeachment proceedings. In doing so, I am mindful that in a democracy there is nothing more sacred than the right to vote and the right to be heard.
President Trump would have us believe this system of checks and balances is wrong. In President Trump’s own words, he expressed the misguided imperial belief in the supremacy of his unchecked power, stating: “I have an Article II, where I have the right to do whatever I want as President.”

Couple this sentiment with his January 2016 boast that, quote: “I could stand in the middle of Fifth Avenue and shoot somebody and I wouldn’t lose voters.” That paints a chilling picture of someone who clearly believes, incorrectly, that he is above the law. The President’s attorneys have hewn to this line of faulty reasoning and, in one notably preposterous effort, even claimed the President could avoid impeachment for an inappropriate action motivated entirely by his own political and personal interests.

The President’s defense also failed to sufficiently demonstrate that the President’s own defense team and staff have shown the slightest regard for the rule of law, or that there was an honest and sincere desire to conform to it. The President’s attorneys have frantically resisted turn over any documents potentially incriminating to the Senate. The President’s attorneys have also aggressively and improperly argued before the courts that the judicial branch cannot force the President to produce documents. The President’s attorneys have said that the courts have no power to compel the President to produce documents and therefore the President is above the law.

While President Trump’s impeachment lawyers claim the House should take the President to court over these previously settled issues, President Trump’s lawyers at the Justice Department are arguing that the House is a court of law, yet the President has failed to cooperate or respond to a single document request. The President’s attorneys have argued in the courts that the judicial branch cannot force the President to produce documents and therefore the President is not bound by court orders.

As President Trump staked out new, expansive, and aggressive positions about executive privilege, immunity, and the limits of Congress’s oversight authority, Republican leaders went along with it. I have heard a variety of explanations for why my Republican colleagues voted against witnesses. But no one has been able to articulate a simple explanation: My Republican colleagues did not want to hear new evidence because they have a hunch it would be really, really bad for this President. It would further expose the depth of his wrongdoings. And it would make it harder for them to conduct their duties.

My colleagues on the other side of the aisle did not ask to be put in this position. President Trump’s misconduct forced it on them. But in the partisan rush to spare President Trump from having his staff and former staff publicly testify against him under oath, a bar has been lowered, a constitutional guardrail has been removed, and the Senate has been voluntarily weakened, and our oversight powers severely diminished.

This short-term maneuver to shield President Trump from the truth is a severe blow against good government that will do lasting damage to this institution. I hope one day the damage can be repaired.

The arc of history is indeed long, and it does bend toward justice—but not today. Today, the Senate and the American people have denied access to relevant, available evidence and firsthand witnesses. We have been prohibited from considering new, material information that became available after the House’s impeachment vote.

The Constitution is our national compass. But at this critical moment, clouded by the fog of President Trump’s misconduct, the Senate majority has lost its way, and is no longer guided by the Constitution. In order to regain our moral bearings, stay true to our core values, and navigate a better path forward, we must hold President Trump accountable.

The President was wrong to invite foreign interference in our democracy. He was wrong to try and stonewall the investigation and he is wrong if he thinks he is above the law.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, from the first words in the Constitution, the weight that lies on every American’s shoulders has been clear: We the people are the ones who call America, and we the people are the ones charged with ensuring its survival.

That is the tension—the push and the pull—behind our democracy because, while there is no greater privilege than living in a country whose Constitution guarantees personal rights, there is no greater burden than knowing that our actions could sap that very same Constitution of its power; that our inaction risks allowing it to wither like any other piece of parchment from some bygone era.

For the past few weeks, it has been my sworn duty as a U.S. Senator to sit as an impartial juror in the impeachment trial of Donald J. Trump. While I wish the President had not put our Nation on trial, and while he is accused of a crime, I cannot believe that a random American to vote on whether to remove him from office. Other than sending our troops into harm’s way, I cannot think of a more serious, more somber vote to take in this Chamber, but as sobering as it is, the right path forward is clear.

Throughout this trial, we have seen unprecedented obstruction from the Trump administration—obstruction so flagrant that it makes Nixon, when in the thick of Watergate, look like the model of transparency. Yet the facts uncovered still prove the truth of the matter: Trump abused his power when he secretly withheld security aid and a White House meeting to try to force Ukraine to announce investigations into a political rival in order to help him swing November’s election. He put his political self-interest ahead of our national interest, and as he did, he obscured the one thing the American people have been denied: the truth.

This short-term maneuver to shield President Trump from the truth is a severe blow against good government that will do lasting damage to this institution. I hope one day the damage can be repaired.

When the reports first emerged about what he had done, he denied it. Then his explanation changed to: Well, maybe I did do it, but it was only because I was trying to root out corruption.

If that were true, there would be some documentary record to prove that, and we have seen absolutely none, even after I asked for it during the questioning period.

No one has gone so far as to claim that, well, it doesn’t matter if he did it because he is the President, and the President can do anything he wants if it will help him get reelected. Breathtaking. To put it another way, when he thought he had lied. Then, when that lie was found out, he lied again, then again, then again.

Along the way, his own defense counsel could not paper-mache together something as the most basic argument to actually investigate him. No, even after he could muster boiled down to: When the President does it, it is not illegal. Nixon already tried that defense. It did not work then, and it does not work now because—here is the thing—in America, we believe not in rulers but in the rule of law.

Through all we have seen over the past few months, the truth has never changed. It is what National Security Council officials and decades-long diplomats testified under oath. It is what foreign policy experts and Trump administration staffers—and, yes, an American warrior with a Purple Heart—have raised their right hands to tell us, time after time, since the House hearings had begun.

Even some of my Republican colleagues have admitted that Trump “cross[ed] a line.” Some said it as recently as this weekend, but many more said months ago that, if Trump did do something wrong—that he committed the best case possible, indeed, be wrong. Well, it is now obvious that those allegations were true, and it is pretty clear that Trump’s defense team knows that also. If they actually believe Trump did nothing wrong—that his call was “perfect”—then why would they fight so hard to block the witnesses and the documents from coming to light that could exonerate him? The only reason they would have done so is if they had known that he was guilty. The only reason for one to vote against him is if he acknowledged one is OK with his trying to cover it up.

Now, I know that some folks have been saying that we should acquit
him—that we should ignore our constitutional duty and leave him in office—because we are in an election year and that the voters should decide his fate. That is an argument that rings hollow because this trial was about Trump’s trying to cheat in the next election and rob the American people of their ability to decide. Any action other than voting to remove him would give him the license and the power to keep tampering with that race, to keep trying to turn that election into as much as an impeachment trial without witnesses.

You know, I spent 23 years in the military, and one of the most critical lessons anyone who serves learns is of the damage that can be done when troops don’t oppose illegal orders, when fealty becomes blind and ignorance becomes intentional. Just as it is the duty of military officers to oppose unlawful orders, it is the responsibility of public servants to hold those in power accountable.

Former NSC official Fiona Hill understood that when she testified before Congress because she knew that politics must never eclipse national security.

Ambassador Bill Taylor understood that as well. The veteran who has served in every administration since Reagan’s answered the question that is at the heart of the impeachment inquiry. He said under oath that, yes, there was a “clear understanding of a quid pro quo—exactly the sort of abuse of power no President should be allowed to get away with.”

LTC Alexander Vindman—the Purple Heart recipient who dedicated decades of his life to our Armed Forces—understood the lessons of the past, too, in his saying that, here in America, right matters.

My colleagues in this Chamber who have attacked Lieutenant Colonel Vindman or who have provided a platform for others to tear him down just for doing what he believes is right should be ashamed of themselves.

We should all be aware of the example we set and always seek to elevate the national discourse. We should be thoughtful about our own conduct both in terms of respecting the rule of law and the sacrifices our troops make to keep us safe because, at the end of the day, our Constitution is really just a set of rules on some pieces of paper. It is only as strong as our will to uphold its ideals and hold up the scales of justice.

So I am asking each of us today to muster up just an ounce of the courage shown by Fiona Hill, Ambassador Taylor, and Lieutenant Colonel Vindman. When our names are called from the dais in a few hours, each of us will either pass or fail the most elementary, yet most important, test any elected official will ever take—whether to put country over party or party over country.

It may be a politically difficult vote for some of us, but it should not be a morally difficult vote for any of us because, while I know that voting to acquit would make the lives of some of my colleagues simpler come election day, I also know that America would never have been born if the heroes of centuries past made decisions based on politics.

It would have been easier to have kept bowing down to King George III than to have pushed 342 chests of tea into the Boston Harbor, and it would have been easier to have kept paying taxes to a tyrant than to have waged a revolution. Yet those patriots knew the importance of rejecting what was easy if it were in conflict with what was right. They knew that the courage of just a few could change history.

So, when it is time to vote this afternoon, we cannot think of political convenience. If we say abuse of power doesn’t warrant removal from office today, we will be paving the way for future Presidents to do even worse tomorrow—perhaps, more than any other. It was the time when Benjamin Franklin walked out of Independence Hall after the Constitutional Convention and someone asked: “What have we got—a republic or a monarchy?”

We all know what he said: “A Republic if you can keep it.”

Keeping it may very well come down to the 100 of us in this very Chamber. We are the ones the Constitution vests with the power to hold the President accountable, and through our actions, we are the ones who vest the Constitution with its power.

In this moment, let’s think not just of today but of tomorrow too. In this moment, let’s remember that, here, right matters; truth matters. The truth is that this is guilty of these Articles of Impeachment. I will vote to do the right thing, and I hope my colleagues will as well. For the sake of tomorrow and the tomorrow after that, we must.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. BLUNT. Mr. President, later today I will vote to acquit the President on the charges of the two Articles of Impeachment. A not-guilty verdict, as every Senator on this floor has known for some time, was always what would haunt a House-driven, partisan impeachment process.

Less than a year ago, the Speaker of the House said that we should not go through this process unless something was compelling, unless something was overwhelming, unless something was bipartisan. I think the Speaker was exactly right then, and I hope all future Speakers look at that guidance as we think about this process of impeachment.

In the first 180 years of the Constitution, individual Members talked about impeachment of Presidents—maybe of almost every President—but the Congress only seriously touched this topic one time—one time in 180 years.

In the last 46 years, Presidential impeachment has been before the country three times, and each case has been less compelling than the one before it. We don’t want partisan impeachment to become an exercise that happens when one party—not the party of the President—happens to have a majority of the votes in the House of Representatives.

Impeachment is fundamentally a political process. The Members of the Senate meet no standards for a regular jury. The jury can override the judge. Two-thirds of the Senate is necessary to remove the President. We really have no better term in the Constitution to suppose, to go by, in any classic sense, this isn’t a trial. In any classic sense, a partisan impeachment isn’t any kind of a real indictment.

Maybe, first and foremost, the House has to do its job. Part of that job would be to create a case that would produce a bipartisan vote on the articles in the House. If you haven’t met that standard—going back to the Speaker’s standard—you should work on the case some more and then wonder, if you can’t meet the standard, what is wrong with the process you are going through. Part of that job is to do everything necessary to have Articles of Impeachment that are compelling and complete.

The House has time available to it to consider impeachment as they go about their essential work. They can continue to do the work of the Congress. They have weeks, months, if they choose to have, even maybe years to put a case together. They can call witnesses. They can go to court to seek testimony. They can determine if this is an impeachment question or just an oversight question.

The House can do lots of things, but one thing the Senate gets the Articles of Presidential Impeachment, they become for the Senate an absolute priority. Both our rules and reality mean we cannot do anything else, realistically, until we are done dealing with this. If the article goes to the House sent over.

That was fundamentally what was so wrong with the House sending over a case that they said needed more work. If it needed more work, it should have had more work.

You can for a strong review of the executive. You can for strong congressional oversight and still support the idea of executive privilege. The
President has the right to unfettered advice and to know all the options. In fact, I think when you piece that right, you begin to have advisers who may not want to give all the options to the President because it might appear they were for all the options. But the President’s advisers need to know that the President understands all the options and implications of a decision.

The President, by the way—another topic that came up here several times—the President determines executive policy. The staff, the assistants, and whoever else works in the executive branch doesn’t determine executive policy; the President determines executive policy. The staff can put all the notes in front of the President they want to, but it is the President’s decision what the policy of the administration will be. Sharing that decision with the Congress, sharing how he got to that point—or later, she got to that point—with that decision is a negotiated balance.

Congress says: We want to know this. The President says: No. I need to have some ability for people to give me advice that isn’t all available for the Congress.

So this is balanced out, and if that can’t happen, if that balance can’t be achieved, the judiciary decides what the balance is. The judiciary decides a question and says: You really must talk to the Congress about this, but you don’t have to talk to them about the next sentence you said at that same meeting.

That is the kind of balance that occurs.

The idea repeatedly advanced by the House managers that the Senate, by majority vote, can decide these questions is both outrageous and dangerous.

The idea that the government would balance itself is, frankly, the miracle of the Constitution. Nobody had ever proposed, until Philadelphia in 1787, one, that the basis for government was the people themselves, and two, you could have a government that was so finely balanced that it would operate and maintain itself over time.

The House managers would really upset that balance. By being unwilling to take the time the House had to pursue the constitutional solution, they decided: We don’t have to worry about the Constitution to have that solution. To charge that the President’s assertion of Article II rights that go back to Washington is one of the actual Articles of Impeachment—that is dangerous.

The legislative branch cannot also be the judicial branch. The legislative branch can’t also decide “here is the balance” if the executive and legislative branch are in a fight about what should be disclosed and what shouldn’t. You can’t continue to have the three balances of power in our government if one of the branches can decide what the legislative branch should decide.

In their haste to put this case together, the House sent the Senate the two weakest Articles of Impeachment possible. Presidents since Washington have been accused by some Members of Congress of abuse of power. Presidents since Washington have been accused by some Members of Congress of failure to cooperate with the Congress.

The House managers asserted against their own case. They repeatedly contended that they had made their case completely, they had made their case in-controversially, but they wanted us to call witnesses and not to even call. They said they had already been in court 9 months to get the President’s former White House Counsel to testify and weren’t done yet, but somehow they thought the Senate could get that person and others in a matter of days.

These arguments have been and should have been rejected by the Senate.

Today, the Articles of Impeachment should be and will be rejected by the Senate. Based on the Speaker’s March comments, these articles should have never been sent to the Senate. They were not compelling, they were not overwhelming, they were not bipartisan, and most importantly, they were not necessary.

One of the lessons we send today is to this House and to future Houses of Representatives: Do your job. Take it seriously. Don’t make it political. I yield this point.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, I have long maintained that, if not all, of the most serious and vexing problems within our Federal Government can be traced to a deviation from the twin core structural protections of the Constitution.

There are two of these protections—one that operates along a vertical axis; the other, a horizontal.

The vertical protection we call federalism, which states a very simple fact: that in the American system of government, we reserve powers to the States respectively, or the people, where it is exercised at the State and local level. It is only those powers enumerated in the Constitution, either in article I, section 8 or elsewhere that are made Federal, those things that the Founding Fathers appropriately deemed unavoidably, necessarily national or that we have otherwise rendered national through a subsequent constitutional amendment.

As was the case when James Madison wrote Federalist No. 45, the powers reserved to the States are numerous and indefinite, while those that are given to the Congress to be exercised federally are few and defined—few and defined powers, the Federal Government; numerous and indefinite reserved for the States.

The horizontal protection operates within the Federal Government itself. We acknowledge three coequal, independent branches within the Federal Government: one that makes the laws, one that executes the laws, and one that interprets the laws when people can’t come to an agreement and have an active, live dispute as to the meaning of a particular law in a particular case or controversy.

Sadly, we have drifted steadily, aggressively from both of these principles over the last 80 years. For roughly the first 150 years of the founding of our Republic and of the operation of our constitutional structure, we adhered pretty closely to them, but over the last 80 years or so, we have drifted steadily. This has been a bipartisan problem. It was one that was created under the broad leadership of Republicans and Democrats alike and, in fact, in Senates and Houses of Representatives and White Houses of every conceivable partisan combination.

We have essentially taken power away from the American people in two steps—first, by moving power from the State and local level and taking it to Washington, in violation of the vertical protection we call federalism; and then a second time, moving it away from the people’s elected leaders in Washington to unelected, unaccountable bureaucrats placed within the executive branch of government but who are neither elected by the people nor accountable to anyone who is elected. Thus, they constitute essentially a fourth branch of government within our system, one that is not sanctioned or contemplated by the Constitution and doesn’t really fit all that well within its framework.

This has made our Federal Government bigger and more powerful. It has occurred in a way that has made people less powerful. It has made government in general and in particular, this government, the Federal Government, less responsive to the needs of the people. It has been fundamentally contrary to the way our system of government operates.

What, one might ask, does any of this have to do with impeachment? Well, it has to do with everything. It has to do with everything at least a lot. This distance that we have created in these two steps—moving power from the people to Washington and within Washington, handing it to unelected lawmakers or unelected bureaucrats—has created an amount of anxiety among the American people. Not all of them necessarily recognize it in the same way that I do or describe it with the same words, but they know something is not right. They know it when their Federal Government requires them to work for months to get a tax cut of $2,000 every year just to pay their Federal taxes, only to be told later that it is not enough and hasn’t been enough for
a long time since we have accumulated $22 to $23 trillion in debt, and when they come to understand that the Federal Government also imposes some $2 trillion in regulatory compliance costs on the American people.

This harms the poor and middle class. It makes everything we buy more expensive. It results in diminished wages, unemployment, and underemployment. On some level, the American people feel this. They experience it. They understand it. It creates anxiety. It was that very anxiety that caused people to want to elect a different kind of leader in 2016, and they did. It was this set of circumstances that caused them to elect Donald J. Trump as the 45th President of the United States, and I am glad they did because he promised to change the way we do things here, and he has done that.

But as someone who has focused intently on the need to reconnect the American people with their government, Donald Trump presents something of a serious threat to those who have occupied those positions of power, these individuals who, while hard-working, well-intentioned, well-educated and highly specialized, occupy these positions of power within what we loosely refer to as the executive branch but is in reality an unelected, unaccountable fourth branch of government.

He has been here on many, many levels and has infuriated them as he has done so, even as he is implementing the American people’s wishes to close that gap between the people and the government that is supposed to serve them.

He has bucked them on so many levels, declining to defer to the opinions of self-proclaimed government experts who claim that they know better than any of us on a number of levels.

He has bucked them, for example, when it comes to the Foreign Intelligence Surveillance Act—or FISA, as it is sometimes described—when he insisted that FISA had been abused in efforts to undermine his candidacy and infringe on the rights of the American people. When he took that position, Washington bureaucrats predictably mocked him, but he turned out to be right.

He called out the folly of engaging in endless nation-building exercises as part of a two-decade-long war effort that has cost this country dearly in terms of American blood and treasure. Washington bureaucrats mocked him again, but he turned out to be right.

He raised questions with how U.S. foreign aid is used and sometimes misused throughout the world, sometimes to the detriment of the American people and the very interests that such aid was created to alleviate. Washington bureaucrats mocked him, but he turned out to be right.

President Trump asked Ukraine to investigate a Ukrainian energy company, Burisma. He momentarily paused U.S. aid to Ukraine while seeking a commitment from the then newly elected Ukrainian President, Volodymyr Zelensky, regarding that effort. He wanted to make sure that he could trust this newly elected President before giving him the aid. Within a few weeks, his concerns were satisfied, and he released the aid. Pausing briefly before doing so isn’t criminal. It certainly isn’t impeachable. It is not even wrong.

Quite to the contrary, this is exactly the sort of thing the American people elected President Trump to do. He would and has decided to bring a different paradigm to Washington, one that analyzes things from how the American citizenry views the American Government.

This has in some respects, therefore, been a trial of the Washington, DC, establishment itself but not necessarily in the way Burke and Jefferson apparently intended. While the House managers repeatedly invoked constitutional principles, including separation of powers, their arguments have tended to prove the point opposite of the one they intended.

Yes, we badly need to restore and protect both federalism and separation of power, and it is my view that the deviation from one contributes to the deviation from the other. But here, in order to do that, we have to respect the three branches of government for what they are, who leads them, how they operate, and who is accountable to whom.

For them to view President Trump as somehow subversive to the career civil servant bureaucratic class that has tended to manage agencies within the Federal Government, including the National Security Council, the Department of Defense, the Office of Management and Budget, individuals in the White House, and individuals within the State Department, among others, is not only mischaracterizing this problem, it helps identify the precise source of this problem.

Many of these officials, including some of the witnesses we have heard from in this trial, have mistakenly taken the conclusion that because President Trump took a conclusion different from that offered by the so-called interagency process, that that amounted to a constitutionally impeachable act. It did not. It did nothing of the sort.

Quite to the contrary, when you actually look at the Constitution itself, it makes clear that the President has the power to do what he did here. The very first section of article II of the Constitution—this is the part of the Constitution that outlines the President’s power—states that “[t]he executive Power [of the United States Government] shall be vested in the President of the United States.”

It is important to remember that there are exactly two Federal officials who were elected within the executive branch of government. One is the Vice President, and the other is the President.

The Vice President’s duties, I would add, are relatively limited. Constitutionally speaking, the Vice President is the President of the Senate and thus performs a quasi-legislative role, but the Vice President’s executive branch duties are entirely bound up with those of the President’s. They consist of aiding and assisting the President as the President may deem necessary and standing ready to step into the position of the Presidency should it become necessary as a result of disability, incapacity, assassination, or resignation.

That, if they are, the entire executive branch authority is bound up within the Presidency itself. The President is the executive branch of government, just as the Justices who sit across the street themselves amount to the capstone of the judicial branch, just as 100 Senators and 435 Representatives are the legislative branch.

The President is the executive branch. As such, it is his prerogative, within the confines of what the law allows and authorizes and otherwise provides, to decide how to execute that. It is not only not incompatible with that system of government, it is entirely consistent with it—indeed, authorized by it.

A President should be able to say: Look, we have a newly elected President in Ukraine.

We have longstanding allegations of corruption within Ukraine. Those allegations have been well founded in Ukraine. No one disputes that corruption is rampant in Ukraine.

A newly elected President comes in. This President or any President in the future decides: Hey, we are giving a lot of aid to this country—$391 million for the year in question. I want to make sure that I understand how that President operates. I want to establish a relationship of trust before taking a step further with that President. So I am going to take my time a little bit. I am going to wait maybe a few weeks in order to make sure we are on a sure footing there.

He did that. There is nothing wrong with that.

What is the response from the House managers? Well, it gets back to that interagency process, as if people whom the American people don’t know or have reason to know because those people don’t stand accountable to the people—they are not part of the people; they are not really accountable to anyone who is in turn elected by the people—the fact that those people involved in the interagency process might disagree with a foreign policy decision made by the President of the United States and the fact that this President of the United States might take a different approach than his predecessor or predecessors does not make this President’s decisions criminal. It certainly doesn’t make them impeachable. It doesn’t even make them wrong.

In the eyes of many and I believe most Americans—they want a President to be careful about how
I hope my colleagues on both sides of the aisle join me in voting against these charges. But whether he is acquitted or convicted and removed, it is my prayer, as we were admonished many times throughout the last few weeks by our Chaplain Black, that God will lead us on.

Then we can move on to the unifying issues the American people want us to tackle—issues like infrastructure, education, energy security and dominance, national security, and the rising cost of healthcare and others. These are issues the American people care about. These are issues that North Dakotans care about. These are issues that the people have sent us here to deal with. Let’s do it together. Let’s start now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The senior assistant legislative clerk proceeded to call the roll.

Mrs. HYDE-SMITH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HYDE-SMITH. Mr. President, I will vote to acquit President Donald J. Trump on both Articles of Impeachment presented by House Democrats. I have listened carefully to the arguments presented by House managers and the White House defense team. Those prosecuting the President failed on a legal and constitutional basis to produce the evidence required to undertake the very serious act of removing a duly elected President from this office.

This trial exposed that pure political partisanship fueled a reckless investigation and the subsequent impeachment of the President on weak, vague, and noncriminal accusations. The President’s case, which lacked the basic standards of fairness and due process, was fabricated to fulfill their one long-held hope to impeach President Trump.

We should all be concerned about the dangerous precedent and consequences of convicting any President on charges originating from strictly partisan reasons. The Founding Fathers warned against allowing impeachment to become a political weapon. In this case, House Democrats castigated the

Rejecting the abuse of power and obstruction of Congress articles before us will affirm our belief and the impeachment standards intended by the Founders. With my votes to acquit President Trump, justice will be served. The Senate has faithfully executed its constitutional duties to hear and judge the charges leveled against the President.

I remain hopeful that we can finally set aside this flawed partisan investigation, prosecution, and persecution of President Trump. Mississipi and this great Nation are more interested in us getting back to doing the work they sent us here to do.
I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, fellow Senators, I come today to talk about the business at hand. Obviously, it is the vote that we are going to take at 4 o'clock this afternoon.

We were subjected to days and days of trial here—many witnesses, witness statements, and all that sort of things—and it is incumbent upon us now, jurors to reach a conclusion, and I have done so.

I come at this with a little bit of a different view, probably, than others. I have tried more cases, probably, than anyone else. I have been both as a prosecutor and in private practice. So I watched carefully as the case was presented to us and how the case had been put together by the managers from the House. What I learned in the many years of trial experience that I had is that the only way, really, to try a case and to reach where you want to get is to do it in good faith and to do it honestly.

I had real trouble right at the beginning when I saw that the lead manager read a transcript purporting to be a transcript of the President's phone call that has been at issue here, and it was falsified. It was falsified knowingly, willfully, intentionally. So, as a result of that, when they walked through the door and wanted to present their case, there was a strike there already, and I put it in that perspective.

How the case unfolded after that was stunning. We have never seen a case succeed the way they put the case together. They put the case together by taking every fact that they wanted to make fly and put it only in the best light without showing the other side but read in a transparently—mal intention—intentionally—intentionally excluding evidence. Of course, this whole thing centered on witness statements that the President had somehow threatened or coerced the President of Ukraine to do what he was going to do. That simply wasn't the case. The transcript didn't say that.

Now, admittedly, they had a witness who was going around saying that, and they called every person he told to tell us that that was the situation. The problem is, it was hearsay. There is a good reason why they don't allow hearsay in a court of law, and that is, simply wasn't true.

When the person who was spreading that rumor actually talked to the President about it, the President got angry and said: That is not true. I Yield the floor.

The Federalist Papers and the Constitution of the United States of America under the Constitution, a process that the Founding Fathers gave us for good reason, and that is impeachment.

It was not intended to be used as a political bludgeon. It simply wasn't. We had in front of us the Federalist Papers, and we had the debates of the Constitutional Convention. Really, the political exercise that was undertook was it was underscored again for us the genius of the Founding Fathers giving us three branches of government—not just three branches of government but, indeed, a very, very difficult to remove the head of the second branch of government. And then, on top of that, for frosting on the cake, they said it has got to be two-thirds.

So what they did was they narrowed the lane considerably and made it difficult to remove the head of the second branch of government. And then, on top of that, for frosting on the cake, they said it has got to be two-thirds. Now, what did that simply mean? They knew—they knew—that human beings being the way they are, that human beings who were involved in the political process and political parties would reach to get rid of a political enemy using everything they could. So they had to see that that didn't happen with impeachment. So, as a result of that, they gave us the two-thirds requirement, and that meant that no President was going to be impeached without a bipartisan movement.

This movement has been entirely partisan. No Republican voted to impeach him in the House of Representatives. This afternoon at 4 we are going to have a vote, and it is going to be along party lines, and, again, it is going to be a partisan vote.

So what do we have here? At the end of the day, we have a political exercise, and that political exercise is going to fail. And once again—once again—God has blessed America, and the Republic that Benjamin Franklin said we have, if we can keep it, is going to be sustained.

I yield the floor.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Ohio is recognized.

Mr. BROWN. Madam President, over the past 3 weeks, we have heard from the House managers and the President's counsel regarding the facts of the case against President Donald Trump.

Much like trials in Lorain and Lima and Lordstown, OH, or in Marietta, in Massillon, and in Marion, OH, we have seen the prosecution—in this case, the House managers—and the defense—in this case, the President's lawyers—present their cases. All 100 of us—every one of us—are the jury. We took an oath to be impartial jurors. We all took an oath to be impartial jurors just like juries in Ohio and across America. But to some of my colleagues, that just appeared to be a joke.

The great journalist Bill Moyers summed up the past 3 weeks: 'What we've just seen is the dictator of the Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy.'

Let me say that again. ‘What we have just seen is the dictator of the government but, indeed, a very, very narrow swath. It was interesting that, from the beginning, they picked the two words of "treason" and "bribery," and to that they then had a long debate about what it would be in addition to that. They had such words as "malfeasance," "misconduct," and all those kinds of things that could be very broad. They rejected all those and said, no, specifically, it had to be "high Crimes and Misdemeanors."

So what they did was they narrowed the lane considerably and made it difficult to remove the head of the second branch of government. And then, on top of that, for frosting on the cake, they said it has got to be two-thirds.

Now, what did that simply mean? They knew—they knew—that human beings being the way they are, that human beings who were involved in the political process and political parties would reach to get rid of a political enemy using everything they could. So they had to see that that didn't happen with impeachment. So, as a result of that, they gave us the two-thirds requirement, and that meant that no President was going to be impeached without a bipartisan movement.

This movement has been entirely partisan. No Republican voted to impeach him in the House of Representatives. This afternoon at 4 we are going to have a vote, and it is going to be along party lines, and, again, it is going to be a partisan vote.

So what do we have here? At the end of the day, we have a political exercise, and that political exercise is going to fail. And once again—once again—God has blessed America, and the Republic that Benjamin Franklin said we have, if we can keep it, is going to be sustained.
Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy.

Even before this trial began, Leader McConnell admitted out loud that he was coordinating the trial process with the White House. The leader of the Senate was coordinating with the White House on impeachment. I challenge him to show me one trial in my State of Ohio or his State of Kentucky where the jury coordinated with the defense lawyers. In a fair trial, the defense and prosecution would have been able to introduce evidence, to call witnesses, and to listen to testimony.

Every other impeachment proceeding in the Senate for 250 years had witnesses. Some of them had dozens. We had zero. Leader McConnell rushed across the aisle, they are all going to be embarrassed because they covered this up. It wasn’t just the President and the Vice President and Secretary Pompeo and Chief of Staff Mulvany: it was 51 Republican U.S. Senators, including the Presiding Officer, who is a new Member of this body, who covered up this evidence.

It will come out this week. It will come out this month, this year, the year after that, for decades to come. And when the full truth comes out, we will be judged by our children and grandchildren.

Without additional witnesses, we must judge based on the facts presented. The House managers made a clear, compelling case. In the middle of a war with Russia, the President froze $400 million in security assistance to Ukraine. He carried through into his 2020 political opponent. He resigned his own political future for rooting out corruption. He put his own President of a foreign government to help him personally and in his interest, that cannot be the kind of quid pro quo that results in impeachment.

Make no mistake, the full truth is going to come out. The Presiding Officer, my colleagues on the other side of the aisle, they are all going to be embarrassed because they covered this up. It wasn’t just the President and the Vice President and Secretary Pompeo and Chief of Staff Mulvany: it was 51 Republican U.S. Senators, including the Presiding Officer, who is a new Member of this body, who covered up this evidence.

This trial and these votes we are about to cast are about way more than just President Trump. They are about the future of democracy. It will send a message to this President—or whom he chooses to appoint to all future Presidents. It will be heard around the world—our verdict—by our allies and enemies alike, especially the Russians. Are we going to roll out the welcome mat to our adversaries to interfere in our elections? Are we going to give a green light to the President of the United States to base our country’s foreign policy not on our collective, agreed-upon national security or that of our allies, like Ukraine, but on the President’s personal political campaign?

These are the issues at stake. If we don’t hold this President accountable for abuse of office, if no one in his own party, if no one on this side of the aisle—no one—has the backbone to stand up and say “stop,” there is no question it will get worse. How do I know that? I have heard it from a number of my Republican colleagues when, perhaps, they will tell me. We are concerned about what the President is going to do if he is exonerated.

I was particularly appalled by the words of Mr. Dershowitz. He said: “If a President does something which he believes will help him in the public interest, that cannot be the kind of quid pro quo that results in impeachment.”

Think about that for a moment. If the President thinks it is OK, he thinks it is going to help his election, and he thinks his election is in the public interest, then it is OK; the President can break any law, can funnel taxpayer money toward his reelection, can turn the arm of the State against his political enemies. It is not be held accountable. That is what this claim comes down to.

Remember the words of Richard Nixon: When the President does it, that means it is OK. Congress will look the other way. Our country rejected that argument during Watergate. We had a Republican Party with principle in those days and Senators with backbone, and they told that President to resign because nobody is above the State; nobody is above the law.

If we have a President who can turn the Office of the Presidency and the entire executive branch into his own political campaign operation, God help us.

My colleagues think I am exaggerating. We don’t have the option to vote in favor of some arguments made during the trial and not others. Mr. Dershowitz’s words will live forever in the historical record. If they are allowed to stand beside a “not guilty” verdict—make no mistake—they will be used as precedent by future aspiring autocrats. In the words of House Manager Mulvaney: that way madness lies.

I know some of my colleagues agree this sets a dangerous precedent. Some of you have admitted to me that you are troubled by the President’s behavior. You know he is reckless. You know he lies. You know what he did was wrong. I have heard Republican after Republican after Republican Senator tell me that privately. If you acknowledge that, if you have said it to me, if you have written it to you or to your family, if you said it to your staff, if you just said it to yourself, I implore you, we have no choice but to vote to convict.

What are my colleagues afraid of? I think about the words of Adam Schiff in the House impeachment inquiry: “If you find that the House has proved its case and still vote to acquit”—if you still vote to acquit—“your name will be tied to his with a cord of steel and for all of history.”

“Your name will be tied to his with a cord of steel and for all of history.”

So I ask my colleagues again: What are you afraid of?
One of our American fundamental values is that we have no Kings, no nobility, no oligarchs. No matter how rich, no matter how powerful, no matter how much money you give to Mitch McConnell’s super PAC, everyone can and should be held accountable. I hope my colleagues remember that. I hope they will choose courage over fear. I hope they will choose country over party. I hope they will join me in holding this President accountable to the people. People we all took an oath to serve.

We know this: Americans are watching. They will not forget.

I will close with quoting, again, Bill Moyers, a longtime journalist: “What we have just seen is the dictator of the Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy. I know my colleagues on the other side of the aisle know better. I hope they vote what they really know.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Ma‘alaea. Madam President, when the Framers debated whether to include the power of impeachment in the Constitution, they envisioned a moment very much like the one we face now. They were fearful of a corrupt President who would abuse the Presidency for his or her personal gain, particularly one who would allow any foreign country to interfere in the affairs of our United States. With this fear in mind, the Framers directed the Senate to determine whether to ultimately remove that President from office.

In normal times, the Senate—conscious of its awesome responsibility—would meet this moment with the appropriate sobriety and responsibility to conduct a full and fair trial. That includes calling appropriate witnesses and subpoenaing relevant documents, none of which happened here.

In the Senate would have weighed the evidence presented by both sides and rendered impartial justice. And in normal times, having been presented with overwhelming evidence of impeachable acts, the Senate would have embraced its constitutional responsibility to convict the President and remove him or her from office.

But as we have learned too often over the past 3 years, these are not normal times. Instead of fulfilling its duty later today, the U.S. Senate will fail its test at a crucial moment of our country by voting to acquit Donald J. Trump of abuse of power and obstruction of Congress.

The Senate cannot blame its constitutional failure on the House managers. They proved their case with overwhelming and compelling evidence. Manager Jerry Nadler laid out a meticulous case demonstrating how and why the President’s actions rose to the constitutional standard for impeachment and removal.

Manager Hakeem Jeffries explained how Donald Trump “directly pressured the Ukrainian leader to commence phony political investigations as a part of his effort to cheat and solicit foreign interference in the 2020 election.”

Manager Val Demings walked us through the evidence of how Donald Trump used $391 million of taxpayer money to pressure Ukraine to announce politically motivated investigations. She concluded: “This is enough to prove extortion in court.”

Manager Zoe Lofgren used her extensive experience to provide perspective on Donald Trump’s unprecedented, unilateral, and complete obstruction of Congress to cover up his corrupt scheme. She is the only Member of Congress to be involved in three Presidential impeachments.

The President’s lawyers could not refute the House’s case. Instead, they ultimately resorted to the argument that, even accepting the facts as presented by the House managers, Donald Trump’s conduct is not impeachable. It is what I have called the “He did it; so what?” argument.

Many of my Republican colleagues are using the “So what?” argument to justify their votes to let the President off the hook. Yet the senior Senator from Tennessee said: “I think he shouldn’t have done it. I think it was wrong.” I agree—wrong is wrong. It was “inappropriate” and “improper, crossing a line.” But he refused to hold the President accountable, arguing that the voters should decide.

The junior Senator from Iowa said: “The President has a lot of latitude to do what he wants to do” but he “did it maybe in the wrong manner.”

She also said that “whether you like what the President did or not,” the charges didn’t rise to the level of an impeachable offense.

The junior Senator from Ohio called the President’s actions “wrong and inappropriate” but said they did not “rise to the level of removing a duly-elected president from office and taking him off the ballot in the middle of an election.”

And the senior Senator from Florida went so far as to say: “Just because actions meet a standard of impeachment does not mean it is in the best interest of the country to remove a president from office.”

By refusing to hold this President accountable, my Republican colleagues are reinforcing the President’s misguided belief that he can do whatever he wants under article II of the U.S. Constitution.

Donald Trump was already a danger to this country. We have seen it in his rash decisions—from taking away healthcare from millions of Americans to threatening painful cuts to Social Security and Medicare, to engaging in an all-out assault on immigrants in this country.

But today, we are called on to confront a completely different type of danger—one that goes well beyond the significant policy differences I have with this President.

If we let Donald Trump get away with extorting the President of another country for his own personal, political benefit, the Senate will be complicit—complicit—in his next corrupt scheme.

Which country will he bully or invite to interfere in our elections next? Which pot of taxpayer money will he use as a bribe to further his political schemes?

Later today, I will vote to convict and remove President Donald Trump for abusing his power and obstructing Congress. I am under no illusion that my Republican colleagues see the same. They have argued it is up to the American people to decide, as though impeachment were not a totally separable, constitutional remedy for a lawless President.

As I considered my vote, I listened closely to Manager Schiff’s closing statement about why the Senate needs to convict this President. He said:

“I do not ask you to convict him because truth or right or decency matters nothing to him. He is referring to the President—but because we have proven our case, and it matters to you. Truth matters to you. Right matters to you. You are decent. He is not what you are.

It is time for the Senate to uphold its constitutional responsibility by convicting this President and holding him accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. Bennet. Madam President, when I was in the second grade—which I did twice because I was dyslexic, so I don’t know which year of the second grade it was, but one of those 2 years—we were asked to line up in order of whose family had been here the longest period of time and whose family had been here the shortest period of time.

I turned out to be the answer to both of those questions. My father’s family have all the way back to the Mayflower, and my mom’s family were Polish Jews who survived the Holocaust. They didn’t leave Warsaw because my grandfather had a large family. He didn’t want to leave behind, and in the event—everybody was killed in the Holocaust except my mom, her parents, and an aunt. They lived in Warsaw for 2 years after the war. Then they went to Stockholm for a year. They went to
Mexico City for a year, of all places. And then they came to the United States—the one place in the world they could rebuild their shattered lives, and they did rebuild their shattered lives. My mom was the only person in the family who could speak any English. She therefore went to the New York City public schools. She graduated from Hunter College High School. She went on to graduate from Wellesley College in Massachusetts in one generation. My grandmothers rebuilt the business they had lost during the war. They understood how important the idea of America was, not because we were perfect—exactly the opposite of that—because we were imperfect. But we lived in a free society that was able to cure its imperial traumas with the hard work of our citizens to make this country more democratic, more free, and more fair—a country committed to the rule of law. Nobody was above the rule of law, and nobility was treated unfairly by the law, even if you were an immigrant to this country.

From my dad’s example, I learned something really different. It might interest some people around here to know he was a staffer in the Senate for many years. I actually grew up coming here on Saturday mornings, throwing paper airplanes around the hallways of the Dirksen Building and Russell Building. He worked here at a very different time in the Senate. He worked here at a time when Republicans and Democrats worked together to uphold the rule of law, to pass important legislation that was needed by the American people to move our country forward, a time when Democrats and Republicans went back home and said: I didn’t get everything I wanted, to be sure, but the 65 percent I did get is worth the bill we have, and here is why the other side needed 35 percent.

Those issues are completely gone in the U.S. Senate, and I grieve for them. My dad passed away about a year ago. I know how disappointed he would be about where we are, but there isn’t anybody who can fix it, except the 100 people who are here and, I suppose, the American people for whom we ostensibly work.

In the last 10 years that I have been here, I have watched politicians come to this floor and destroy the solemn responsibilities—the constitutional responsibilities we have to advise and consent on judicial appointments, to turn that constitutional responsibility into nothing more than a vicious partisan exercise. That hasn’t been done by the American people. That wasn’t done by any other generation of politicians who were in this place. It has been done by this generation of politicians led by the Senator from Kentucky, the majority leader of the Senate.

We have become a body that does nothing. We are an employment agency. That is what we are. Seventy-five percent of the 268 amendments last year were on appointments. We voted on 26 amendments last year—26–26. In the world’s greatest deliberative body, we passed eight amendments in a year. Pathetic. We didn’t consider any of the major issues the American people are confronting in their lives, not a single one—10 years of townhalls with people saying to me: MICHAEL, we are killing ourselves, and we can’t afford housing, healthcare, higher education, early childhood education. We cannot save. We can’t live a middle-class life. We think our kids are going to live a more diminished life than we do. What does the U.S. Senate do? Cut taxes for rich people. We don’t have time to do anything else around here. And now, when we are the only body on planet Earth charged with the responsibility of dealing with the guilt or innocence of this President, we can’t even bring ourselves to have witnesses and evidence as part of a fair trial, even when there are literally witnesses with direct knowledge of what the President did practically begging on the door of the Senate saying: Let me testify.

We are too lazy for that. The reality is, we are too broken for that. We are too broken for that. And we have failed in our duty to the American people. Hamilton said in Federalist 65 that in an impeachment trial we were the inquisitors for the people. The Senate—would we be the inquisitors for the people? How can you be the inquisitors for the people when you don’t even dignify the process with evidence and with witnesses?

I often have school kids come visit me here in the Senate, which I really enjoy because I used to be the superintendent of the Denver Public Schools. When they come visit me, they very often have been on the Mall. They have seen the Lincoln Memorial. They have seen the Washington Monument. They have been seen the Super Bowl. And there is a tendency among them to believe that this was just all here, that it was all just here. And of course, 230 years ago, I tell them, none of it was here. None of it was here. It was in the ideas of the Founders, the people who wrote the Constitution, who did two incredible things in their lifetime, in their generation, that had never been done before in human history. They wrote a Constitution that would be ratified by the people who lived under it. It never had been and never will have imagined that we would have lasted 230 years—at least until the age of Donald Trump.

They led an armed insurrection against a colonial power. We call that the Revolutionary War. That succeeded too. They did something terrible in their generation that will last for the rest of our days and that required us to incorporate human slavery. The building we are standing in today was built by enslaved human beings because of the decisions that they made.

But I tell the kids who come and visit me that there is a reason why there are not enslaved human beings in this country anymore and that is because of people like Frederick Douglass. He was born a slave in the United States of America, escaped his slavery in Maryland, risked his life and limb to get to Massachusetts, and he found the abolitionist movement there. And the abolitionist movement has been arguing for generations that the Constitution was a pro-slavery document. Frederick Douglass, who is completely self-taught, said to them: You have this exactly wrong, exactly backward, 180 degrees from the truth. The Constitution is an anti-slavery document, Frederick Douglass said, not a pro-slavery document.

But we are not living up to the words of the Constitution. It is the same thing Dr. King said the night before he was killed in Memphis when he went down there for the striking garbage workers and he said: I am here to make America keep the promise you wrote down on the page.

In my mind, Frederick Douglass and Dr. King are Founders, just as much as the people who wrote the Constitution of the United States. How could they not be? How could they not be?

The women who fought to give my kids, my three daughters, the right to vote, who fought for 50 years to get the right to vote—mostly women in this country—are Founders, just like the people who wrote the Constitution, as well.

Over the years that I have been here, I have seen this institution crumble into rubble. This institution has become incapable of addressing the most existential questions of our time that the next generation cannot address. They can’t fix their own school. They can’t fix our immigration system. They can’t fix climate change, although they are getting less and less patient with us.

But what I have come to conclude is that the responsibility of all of us—not just Senators but all of us as citizens in a democratic republic—230 years after the founding of this Republic, is the responsibility of a Founder. It is that elevated sense of what a citizen is required to do in a republic to sustain that republic, and I think that is the right way to think about it. It gives you a sense of what is really at stake beyond the headlines on the cable television shows and certainly, in the social media feeds that divide us minute to minute in our political life today.
The Senate has clearly failed that standard. We have clearly failed that standard. The idea that we would turn our backs and close our eyes to evidence pouding on the outside of the doors of this Capitol is pitiful. It is disgraceful to sit as a Senator for all time. More than 50 percent of the people in this place have said what that the President did was wrong. It clearly was wrong. It clearly was unconstitutional. It clearly was impeachable. Why President would run for office saying to the American people: I am going to try to extort a foreign power for my own electoral interest to interfere in our elections? It is exactly the kind of conduct that the impeachment oath given to us by Chief Justice Roberts to do impartial judgment in this impeachment trial. I have taken this responsibility very seriously. I have listened to both sides make their case. I have reviewed the evidence presented and I have carefully considered the facts. From the beginning, I have supported a full, fair, and honest impeachment trial. A majority of this Senate has failed to allow it. I supported the resolution that was concretized by the White House. The other side of the aisle let President Trump hide it from us, and they voted to keep it a secret from the American people. I voted for testimony of relevant witnesses with direct, firsthand evidence about the President's conduct. Senate Republicans blocked witness testimony because they didn't want to be bothered with the truth. Every Senate impeachment trial in our Nation's history has included witnesses, and this trial should have been no different. Unfortunately, it was. A majority of the Senate has taken the unprecedented step of refusing to hear all the evidence, declining all the facts, denying the full truth about the President's corrupt abuse of power. President Trump has obstructed Congress, and this Senate will let him. Last month, President Trump's former National Security Advisor, John Bolton, provided an unpublished manuscript to the White House. The recent media reports about what Ambassador Bolton could have testified to, had he not been blocked as a witness, go to the heart of this impeachment trial—abuse of power and obstruction of Congress. As reported, in early May 2019, there was an Oval Office meeting that included President Trump, Mick Mulvaney, Pat Cipollone, Rudy Giuliani, and John Bolton. According to Mr. Bolton, the President directed him to help with his pressure campaign to solicit assistance from Ukraine to pursue investigations that would not only benefit President Trump politically but would act to exonerate Russia from their interference in our 2016 elections. Several weeks later, the U.S. Department of Defense certified the release of military aid to Ukraine, concluding that they had taken substantial actions towards this. This was part of the security assistance we approved in Congress with bipartisan support to help Ukraine fight Russian aggression. However, President Trump blocked it and covered it up from Congress. On July 25, 2019, as President Trump was withholding the support for Ukraine, he had a telephone call with Ukrainian President Zelensky. Based on a White House call summary memo that was released 2 months later, we now know the President put his own political interest ahead of our national security and the integrity of our elections. Based on the clear and convincing evidence presented in this trial, we know President Trump used American taxpayer dollars in security assistance in order to get Ukraine to interfere in our elections to help him politically. We know the President solicited foreign assistance from Ukraine to discredit the conclusion by American law enforcement, the U.S. intelligence community, and confirmed by a bipartisan Senate report that Russia interfered with our 2016 elections. We also know President Trump solicited foreign interference in the upcoming election by pressuring Ukraine to publicly announce investigations to help him politically. I ask my friends to consider the fact that Donald Trump is the source of all our problems. I think he has made matters much worse, to be sure, but he is a symptom of our problem. He is a symptom of our failure to tend to the democracy—to our responsibility—as Founders. And if we don’t begin to take that responsibility as seriously as our parents and grandparents did—people who faced much bigger challenges than we ever did—we are asking our children to do our duty—to do our jobs on the line. Instead of inspiring us brave government servants came forward and told the truth. They put their other oath given to us by Chief Justice Roberts to do impartial judgment in this impeachment trial. I have taken this responsibility very seriously. I have listened to both sides make their case. I have reviewed the evidence presented and I have carefully considered the facts. From the beginning, I have supported a full, fair, and honest impeachment trial. A majority of this Senate has failed to allow it. I supported the resolution that was concretized by the White House. The other side of the aisle let President Trump hide it from us, and they voted to keep it a secret from the American people. I voted for testimony of relevant witnesses with direct, firsthand evidence about the President's conduct. Senate Republicans blocked witness testimony because they didn't want to be bothered with the truth. Every Senate impeachment trial in our Nation's history has included witnesses, and this trial should have been no different. Unfortunately, it was. 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And if we don’t begin to take that responsibility as seriously as our parents and grandparents did—people who faced much bigger challenges than we ever did—we are asking our children to do our duty—to do our jobs on the line. Instead of inspiring us brave government servants came forward and told the truth. They put their
As Army LTC Alexander Vindman said, “This is America. Here, right matters.”

My judgment is inspired by these words, and I am guided to my commitment to our country before party and our Constitution first.

My vote on the President’s abuse of power and obstruction of Congress is a vote to uphold my oath of office and to support and defend the Constitution. My vote is a vote to uphold the rule of law and our uniquely American principle that no one—not even the President—is above the law. I only have 1 of 100 votes in the U.S. Senate, and I am afraid that the majority is putting this President above the law by not convicting him of these impeachable offenses.

Let’s be clear. This is not an exonerating of President Trump. It is a failure to show moral courage and hold this President accountable.

Now ever the American will have the power to make his or her own judgment. Every American gets to decide what is in our public interest. We the people get to choose what is in our national interest. I trust the American people will know they will be guided by our common good and the truth. The people we work for know what the truth is, and they know, in America, it matters.

I yield the floor.

Mr. MURPHY. Madam President, it is important to remind ourselves, at moments like this, how unnatural and uncommon democracy really is.

Just think of all of the important forums in your life. Think about your workplace, your family, your favorite sports team. None of them makes decisions by democratic vote. The CEO decides how much money you are going to make. It is not by the vote of your fellow employees. You love your kids, but they don’t get an equal say in household matters as mom and dad do. The plays the Chiefs called on their game-winning drives were not decided by a vote of the players.

No, most everything in our lives that matters, other than the government under which we live, is not run by democratic vote, and, of course, a tiny percentage of humans—well under 1 percent—have lived in a democratic society over the last thousand years of human history.

Democracy is unnatural. It is rare. It is delicate. It is fragile, and untended to, neglected, or taken for granted, it will disappear like ashes that scatter into the cold night.

This body—the U.S. Senate—was conceived by our Founders to be the ultimate guardians of this brittle experiment in governance. We, the 100 of us, were given the responsibility to keep it safe from those who may deign to harm it, and when the Senate lives up to this charge, it is an awesome, inspirational sight to behold.

I was born 3 weeks after Alexander Butterfield revealed the existence of a taping system in the White House that likely held evidence of President Nixon’s crimes, and I was born 1 week after the Senate Watergate Committee, in a bipartisan vote, ordered Nixon to turn over several key tapes.

Now, my parents were Republicans. My mom is still a Republican. Over the years, they have voted for a lot of Democrats and Republicans. They raised me, in the shadow of Watergate, to understand that what mattered in politics wasn’t really someone’s party. It was whether you were honest and decent and if you were pursuing office for the right reason.

In the year I was born, this Senate watched a President betray the Nation, and this Senate—both Democrats and Republicans—stood together to protect the country from this betrayal. This is exactly what our Founders envisioned when they gave the Congress the massive responsibility of the impeachment power. They said to use it sparingly, to use it not to settle political scores but to use it when a President has strayed from the bonds of decency and propriety.

The Founders wanted Congress to save the country from bad men who would try to use the awesome power of the executive branch to enrich themselves or to win office illicitly, and I grew up under the belief that, when those bad men presented themselves, this place had the ability to put aside party and work to protect our fragile democracy from attack.

This attack on our Republic that we are debating today, if left unchecked, is potentially lethal. The one sacred covenant that an American President can try to use the awesome power of the executive branch is to use the massive power of the executive branch for the good of the country, not for personal financial or political benefit. The difference between a democracy and a tin-pot dictatorship is that, here, we don’t allow Presidents to use the official levers of power to destroy political opponents. Yet that is exactly what President Trump did, and we all know it. Even the Republicans who are going to vote to acquit him today admit he is the one who put our country in this peril.

My vote on the President’s abuse of power and obstruction of Congress is a vote to protect the Republic. Nothing the Democrats have presented through acquittal will not have an impact, then, just look at Rudy Giuliani’s trip to Ukraine in December, which was in the middle of the impeachment process. He went back, and the President was ringing him up to get the details before Giuliani’s plane even hit the gate. The corruption hasn’t stopped. It is ongoing. If this is the new normal—the new means by which a President uses power and try to destroy political opponents—then we are no longer living in America.

What happened here over the last 2 weeks is as much a corruption as Trump’s scheme was. This trial was simply an extension of Trump’s crimes—no documents, no witnesses. It was the first-ever impeachment trial in the Senate with John Bolton, in his practically begging to come here and tell his firsthand account of the President’s corruption, was denied—just to make sure that voters couldn’t hear his story in time for them to be able to pressure their Senators prior to an impeachment vote.

This was a show trial—a gift-wrapped present for a grateful party leader. We became complicit in the very attacks on democracy that this body is supposed to protect against. We have failed to protect the Republic.

What is so interesting to me is that it is not like the Republicans didn’t see this moment coming. In fact, many of my colleagues across the aisle literally said it. President’s election, here is what the Republican Senators said about Donald Trump.

One said:

He is shallow. He is ill-prepared to be Commander in Chief. I think he is crazy. I think he is unfit for office.

Another said:

The man is a pathological liar. He doesn’t know the difference between truth and lies.

Yet another Republican Senator said:

What we are dealing with is a con artist. He is a con artist.

Now, you can shrug this off as election-year rhetoric, but no Democrat has ever said these kinds of things about a candidate from our party, and prior to Trump, no Republican had said such things about candidates from their party either. The truth is the Republicans, before Trump became the head of their party, knew exactly how dangerous he was and how dangerous he would be if he won. They knew he would be the kind that bad man the Founders intended the Senate to protect democracy from.

That responsibility seems to no longer retain a position of princiary in this body today. The rule of law doesn’t seem to come first today. Our commitment to upholding decency and truth and honor is not the priority today. In the modern Senate today, all that seems to matter is party. What is different about this impeachment is not that the Democrats have chosen to make it partisan. It is that the Republicans have chosen to excuse their party’s President’s conduct in a way that they would not have done and did not do 45 years ago. That is what makes this moment exceptional.

Now, Congressman SCURRY, in his closing argument, rightly challenged the Democrats to think about what we would do if a President of our party ever committed the same kind of offense that Donald Trump has. I think it was a very wise query and one that we as Democrats should not be so quick on the trigger to answer self-righteously.
February 5, 2020

CONGRESSIONAL RECORD — SENATE

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Would we have the courage to stand up to our base, to our political supporters, and vote to remove a Democratic President who had chosen to trade away the safety of the Nation for political help? It would not be easy. No, the easy thing to do would be to just sit back and watch what is happening today—to box our ears, close our eyes, and just hope the corruption goes away.

So I have thought a lot about this question over these past 2 days, and I have come to conclusion that at least for me, I would hold the Democrats to the same standard. I would vote to remove. But I admit to some level of doubt, and I think that I need to be honest about that because the pressures today to put party first are real on both sides of the aisle, and they are much more acute today than they were during Watergate.

It is with that reality as context that I prepare to vote today. I believe that the President's actions are worthy of removal. I will vote to convict on both Articles of Impeachment.

But I know that something is rotten in the state of Denmark. Ours is an institution that is supposed to put country above party, and today we are doing, often, the opposite. I believe within the cult of personality that has become the Trump Presidency, the disease is more acute and more perilous to the Nation's health on the Republican side of the ledger, but I admit this affliction has spread to all corners of this Chamber.

If we are to survive as a democracy—a fragile, delicate, constantly in need of tending democracy—then this Senate needs to figure out a way after today to reorder our incentive system and recalibrate our faiths so that the health of one party never ever again comes at the health of our Nation.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Utah.

Mr. ROMNEY. Mr. President, the Constitution is at the foundation of our Republic's success, and we each strive not to lose sight of our promise to defend it.

The Constitution established a vehicle of impeachment that has occupied both Houses of our Congress these many days. We have labored to faithfully execute our responsibilities to it. We have arrived at different judgments, but I hope we respect each other's good faith.

The allegations made in the Articles of Impeachment are very serious. As a Senator-juror, I swore an oath before God to exercise impartial justice. I am profoundly religious. My faith is at the heart of who I am. I take an oath before God and I take it very seriously.

I knew from the outset that being tasked with judging the President—the leader of my own party—would be the most difficult decision I have ever faced. I was not wrong.

The House's managers presented evidence supporting their case, and the White House counsel disputed that case. In addition, the President's team presented three defenses: first, that there could be no impeachment without a statutory crime; second, that the Bidens' conduct justified the President's actions; and third, that the judgment of the President's actions should be left to the public at large. So the verdict is ours to render under our Constitution. The invest Senators with this obligation.

Given that in neither the case of the father nor the son was any evidence presented by the President's counsel that a crime had been committed, the President's insistence that they be investigated by the Ukrainians is hard to explain other than as a political pursuit. There is no question in my mind that were their names not Biden, the President would never have done what he did.

The defense argues that the Senate should leave the impeachment decision to the voters. While that logic is appealing to our democratic instincts, it is inconsistent with the Constitution's requirement that the Senate, not the voters, try the President. Hamilton explained that the Founders' decision to invest Senators with this obligation rather than leave it to the voters was intended to minimize to the extent possible the partisan sentiments of the public at large. He also noted that it is ours as a constitutional matter to render under our Constitution. The people will judge us for how well and faithfully we fulfill our duty.

The grave question the Constitution tasks Senators to answer is whether the President committed an act so extreme and egregious that it rises to the level of a high crime and misdemeanor. Yes, he did. The President asked a foreign government to investigate his political rival. The President withheld vital military funds from that government to pressure the President to do what he wanted. The President delayed funds for an American ally at war with Russian invaders. The President's purpose was personal and political. Accordingly, the President is guilty of an appalling abuse of public trust.

What he did was not "perfect." No, it was a flagrant assault on our electoral rights, our national security, and our fundamental values. A coup attempt to keep one's self in office is perhaps the most abusive and destructive violation of one's oath of office that I can imagine.

In the last several weeks, I have received numerous calls and texts. Many demanded, in their words, that I "stand with the team." I can assure you that thought has been very much in my mind. You see, I support a great deal of what the President has done. I have voted with him 80 percent of the time. But my promise before God to apply impartial justice required that I put my personal feelings and political biases aside. Were I to ignore the evidence that has been presented and disregard what I believe my oath and the Constitution demand of me for the sake of a partisan end, it would, I fear, expose my character to history's rebuke and the censure of my own conscience.

I am aware that there are people in my party and in my State who will strenuously disapprove of my decision, and in some quarters, I will be vehemently denounced. I am sure to hear abuse from the President and his supporters. Does anyone seriously believe that these consequences are not imposed on us by the voters? I believe that the public will ultimately be apprised to a higher court—the judgment of the American people. Voters will make the final decision, just as the President's lawyers have implored. My vote will likely be in the minority in the Senate. But irrespective of these things, with my vote, I will tell my children and their children that I did my duty to the best of my ability, believing that my country expected it of me.

One word will only be one name among many—no more, no less—to future generations of Americans who look at the record of this trial. They will note merely that I was among the Senators...
who determined that what the President did was wrong, grievously wrong.

We are all footnotes at best in the annals of history, but in the most powerful Nation on Earth, the Nation conceived in liberty and justice, that distinguishes us enough for any citizen. It yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. Mr. President, over the past few weeks, we have heard a lot of arguments, accusations, and anecdotes. Some very skilled speakers on both sides have presented their case both for and against impeachment.

I listened intently, hour after hour, day after day, to the House managers and the President's lawyers, and the word that kept coming to me, that I kept writing down in my notes was “fairness” because you, see, here in America you are innocent until proven guilty.

As the President’s defense team noted, “[A]lthough the foundational principles of our justice system are based on that of the English Bill of Rights, no other nation, not just this country, can be certain that the final arbiter of what happens, whether someone is taken off of the books, is the American people or the American courts.”

You can create all the rhetorical imagery in the world, but without the facts to prove guilt, it doesn’t mean a thing. They can say the President cannot be trusted, but without proving why he can’t be trusted, their words are just empty political attacks.

You can speak of David v. Goliath, but if you were the one trying to subvert the presumption of innocence, if you were the one to will facts into existence, you are not David; you have become Goliath.

Our job here in the Senate is to ensure a fair trial based on the evidence gathered by the House. I have been accused of my colleagues for not wanting that fair trial. The exact opposite is true. We have ensured a fair trial in the Senate after House Democrats abused historical precedents in their zeal to impeach a President they simply do not like.

During prior impeachment proceedings in the last 50 years—lasting around 75 days or so in the House—the House’s opposing party was allowed witnesses and the ability to cross-examine. At the same time, House Republicans were locked out of the first 71 of 78 days. Let me say that differently. The ability to cross-examine the witnesses who are coming before the House against the President, the House Republicans and the President’s team were not allowed to cross-examine those witnesses. The ability to contradict and/or to cross-examine or have a conversation about the evidence at the foundation of the trial? The White House’s position, and Republicans were not allowed. This is about the abuse of due process. The House Republicans and President’s team, were not allowed for 71 of 78 days in the House. This is not a fair process. Does that sound fair to you?

Democrats began talking about impeachment within months of President Trump’s election and have made it clear that their No. 1 goal—perhaps their only goal—has been to remove him from office. Does that sound fair to you?

They have said: “We are going to impeach the . . . .” and used an expletive. They said: “We have to impeach him, otherwise he’s going to win the election.” Now that might be the transparency we have been looking for in this process—the real root or foundation of why we found ourselves here for 60 hours of testimony. It might be because, as they said themselves, if we don’t impeach him, he might just win.

What an amazing thought that the American people and not Members of Congress would decide the Presidency of the United States. What a novel concept that Republicans and Congress would not remove his name from the ballot in 2020, but we would allow the American people to decide the fate of this President and the Presidency. They don’t get it. They don’t understand that the American people should be and are the final arbiters of what happens. They want to make not only the President vulnerable, but they want to make Republican Senators vulnerable so that they can control the majority of the Senate because the facts are not winning for them. The facts are winning for us because when you look at the facts, they are not their facts and our facts, they are just the facts. What I have learned from watching the House managers who were very convincing—they were very convincing the first day—and after that what we realized was, some facts mixed with a little fiction led to 100 percent deception. You cannot mix facts and fiction without having the premise defeated by the American public, and that is what we saw here in our Chamber.

Why is that the case? It is simple. When you look at the facts of this Presidency, you come to a few conclusions that are, in fact, indisputable. One of those conclusions is that our economy is booming, and it is not simply booming from the top. When you start looking into the crosstabs, as I like to say, what you find is that the bottom 20 percent of American households, that the top 20 percent are not seeing. So this economy is working for the most vulnerable Americans, and that is challenging to our friends on the other side.

When you think about the fact that the opportunity zone legislation supported by this President is bringing $67 billion of private sector dollars into the most vulnerable communities, that is challenging to the other side, but those, too, are facts. When you think about the effort to defeat the India Justice Reform and making communities safer and having a fairer justice system for those who are incarcerated, that is challenging to the other side, but it is, indeed, a fact, driven home by the Republican Party and President Donald John Trump. These facts do have consequences, just like elections.

Our friends on the other side, unfortunately, decided that they could not beat him at the polls, give Congress an opportunity to, in fact, impeach the President. My friends on the left simply don’t want a fair process. This process has lacked transparency. Instead, they paint their efforts as fighting on behalf of democracy when, in fact, they are just working on behalf of Democrats. That is not fair. It is not what the American people deserve.

House managers said over and over again, the Senate had to protect our Nation’s free and fair elections, but they are seeking to overturn a fairly won election with absurd charges. The House managers said over and over again that the Senate has to allow new witnesses so as to make the Senate trial fair, but they didn’t bother with the notion of fairness when they were in charge in the House.

Their notion of fairness is to give the prosecution do-overs and extra latitude but not the defendants. Actions speak louder than words, and the Democrats’ actions have said all we need to hear.

Let’s vote no on these motions today and get back to working for the American people.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, the last time this body—the last time the Senate—debated the fate of a President in the context of impeachment, the legendary Senator from West Virginia, Robert Byrd, rose and said:

I think my country sinks beneath the yoke. It weeps, it bleeds, and each new day a gash is added to her wounds.

Our country today, as then, is in pain. We are deeply divided, and most days, it seems to me that we here are the ones wailing the shiv, not the salve.

The Founders gave this Senate the sole power to try impeachments because, as Alexander Hamilton wrote: “Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent?”

I wish I could say with confidence that we here have lived up to the faith our Founders entrusted in us. Unfortunately, I fear, in this impeachment trial, the Senate has failed a historic test of our ability to put country over party.

Foreign interference in our democracy has posed a grave threat to our Nation since its very founding. James Madison wrote that impeachment was an “indispensable” check against a President who would “betray his trust to foreign powers.”

The threat of foreign interference remains grave and real to this day. It is indisputable that Russia attacked our 2016 election and interfered in it broadly. President Trump’s own FBI Director and Director of National Intelligence have warned us they are intent
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The President’s counsel have warned us of danger in partisan impeachments. They have cautioned that abuse of power—the first article—is a difficult standard to define. They have expressed deep concern about an impeachment that casts the brink of our next Presidential election. I understand those concerns and even share some of them. The House managers, in turn, warned us that our President has demonstrated a pernicious willingness to seek foreign interference in our elections and presented significant evidence that the President withheld foreign aid from a vulnerable ally, not to serve our national interest but to advance an agenda. They demonstrated the President has categorically obstructed congressional investigations to cover up his misconduct. These are serious dangers too. We, then, are faced with a choice between serious and significant dangers. After listening closely to the evidence, weighing the arguments, and reflecting on my constitutional responsibility and duty to do impartial justice, I have decided today: I will vote guilty on both articles.

I recognize that many of my colleagues have made up their minds. No matter what decision you have reached, I think it is a sad day for our country. I myself have never been on a crusade to impeach Donald Trump, as has been alleged against all Democrats. I have sought ways to work across the aisle with his administration, but in the years that have followed his election, I have increasingly become convinced our President is not just unconventional, not just testing the boundaries of our norms and traditions, but he is at times unmoored.

Throughout this trial, I have heard from Delawareans who are frustrated the Senate refused to hear from witnesses or subpoena documents needed to understand the President’s misconduct. I have heard from Delawareans who fear our President believes he is above the law and that he acts as if he is the law. I have also heard from Delawareans who want us to work together. It is my sincere regret that, with all the time we have spent together, we could not find common ground in the middle. From the opening resolution that set the ground rules to the final vote on a party-line basis, the majority leader refused all attempts to make this a more open and fair process. Every Democrat was willing to have Chief Justice Roberts rule on motions to subpoena relevant witnesses and documents. Every Member of the opposing party refused. We could not even forge a consensus to call a single witness who has said he has firsthand evidence, who is widely respected and was even preparing to appear before us.

When an impeachment trial becomes meaningless, we are damaged and weakened as a body, and our Constitution as an institution is impaired. We have a President who hasn’t turned over a single scrap of paper in an impeachment investigation. Unlike Presidents Nixon and Clinton before him, who directed their senior advisers and Cabinet officials to cooperate, President Trump stonewalled every step of this Congress’s impeachment inquiry and then personally attacked those who cooperated. The people who testified before the House of Representatives in spite of the President’s orders are dedicated public servants and deserve our thanks, not condemnation.

Where do we go from here? Well, after President Clinton’s impeachment trial, he said: “This can be and must be a time of reconciliation and renewal for [our country].” We must recognize the harm he had done to our Nation.

When President Nixon announced his resignation, he said: “The first essential is to begin healing the wounds of this Nation.”

I wish President Trump would use this moment to bring our country together to assure our people we can work to make the 2020 election a fair contest; that he would tell Russia and China to stay out of our elections; that he would tell the American people, whoever his opponent might be, the fight will be between candidates, not families; that if he loses, he will leave peacefully, in a dignified manner; and that if he wins, he will work tirelessly to be the President for all people.

But at this point, some might suggest it would be hopeless naively to expect President Trump that he would apologize or strive to heal our country or do the important work of safeguarding our next election. So that falls to us.

To my colleagues who have concluded impeachment is too heavy a hammer to wield, if you believe the American people should decide the fate of this President in the next election, what will you do to protect our democracy? What will you do to ensure the American people learn the truth of what happened so that they can cast informed votes? Will you cosponsor bills to secure our elections? Will you insist they receive votes on this floor? Will you express support for the intelligence community that is working to keep our country safe? Will you ensure whistleblowers who expose corruption are protected, not vilified? Will you press this administration to cooperate with investigations and to allow meaningful accommodations so that Congress can have its power of oversight? Why can we not do this together?

Each day of this trial, we have said the Pledge of Allegiance to our common Nation. For my Republican friends who have concluded the voters should decide President Trump’s fate, we need to do more together to make that possible. Many of my Democratic friends, I know, are poised to do their very best to defeat President Trump at the ballot box.

So here is my plea—that we would find ways to work together to defend...
our democracy and safeguard our next election. We have spent more time together here in the last few weeks than in the last few years. Imagine if we dedicated that same time to passing the dozens of bipartisan bills that have come from your chamber that are awaiting action. Imagine what we could accomplish for our States and our country if we actually tackled the challenges of affordable healthcare and ending the opioid crisis, making our schools and communities safer, and bridging our deep disagreements.

What fills me with dread, to my colleagues, is that each day we come to this floor and talk past each other and not to each other and fail to help our constituents.

Let me close by paraphrasing our Chaplain—Chaplain Black—whose daily prayers brought me great strength in recent weeks: May we work together to bring peace and unity. May we permit Godliness to make us bold as lions, so we see a clear vision of our Lord's desire for our Nation and remember we borrow our heartbeats from our Creator each day.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, over the last several months and last several weeks, the American people have watched Washington convulse in partisan accusations, investigations, and headlines. The impeachment has reached its trial watermark as the U.S. Senate carried out the third Presidential impeachment trial in our Nation's history.

We saw, over the last 2 weeks, an impeachment process that included the testimony of 37 witnesses, more than 100 hours of testimony, and tens of thousands of pages of evidence, records, and documents, which I successfully fought to make part of the record. I fought hard to extend the duration of testimony to ensure that each side could be heard over 6 days instead of just 4. But what we did not see over the last 2 weeks was a conclusive reason to remove the President of the United States—an act which would nullify the 2016 election and rob roughly half the country of their preferred candidate for the 2020 elections.

House managers repeatedly stated that they had established “overwhelming evidence” and an “airtight” case against the President. Yet, they also repeatedly claimed they needed additional investigation and testimony. A case cannot be both “overwhelming” and “airtight” and yet incomplete at the same time. That contradiction is not mere semantics, but rather a partisan attempt to impeach, the House failed to do the fundamental work required to prove its case, to meet the heavy burden. For the Senate to ignore this deficiency and conduct its own investigation would weaponize the impeachment process. A House majority could simply short-circuit an investigation, impeach, and demand the Senate complete the House’s work—what they were asking us to do.

The Founders were concerned about this very point. Alexander Hamilton wrote, regarding impeachments: “[T]here will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by real demonstrations of innocence or guilt.”

More recently, Congressman JERRY NADLER, one of the House managers in the trial, said:

“Impeachment is so divisive to the country that unless there’s something so compelling and overwhelming and bipartisan, I don’t think we should go down that path, because it divides the country.”

The Framers knew that partisan impeachments could lead to impeachments over policy disagreements. Legal scholars like Charles Black have written that policy differences are not grounds for impeachment. But, our current Framers are saying that differences about corruption and the proper use of tax dollars are at the very heart of this impeachment. Nevertheless, that disagreement led the House to deploy this most serious of judicial tools to remove and set the stage for a constitutional crisis without recourse to the courts. With that precedent set, the separation of powers would simply cease to exist.

Over the 244-year history of our country, no President has been removed from office. The first Presidential impeachment occurred in 1868. The next was more than 100 years later. Since Marbury v. Madison, “[i]t is emphatically the province and duty of the judicial Department to say what the law is.” Without this separation, nothing stops the House from seeking privileged information under the guise of an impeachment inquiry.

The House managers say that no matter how flimsy the House’s case, if the Executive tries to protect that information constitutionally, that itself is an impeachable offense. That dangerous precedent would weaken the separation of governmentally threatening the President with removal and setting the stage for a constitutional crisis without recourse to the courts. With that precedent set, the separation of powers would simply cease to exist.

In Federalist 78, Hamilton wrote: “[L]iberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.” If the House managers prevail, the House would have created a constitutional balance, declaring itself the arbiter of constitutional rights and conscripting the Chief Justice to do it.

To be clear, the executive branch is not immune from oversight or impeachment and trial, but that cannot come at the expense of constitutional rights—certainly not without input from the judiciary. After all, since Marbury v. Madison, “[i]t is emphatically the province and duty of the judicial Department to say what the law is.”

These defective articles and the defective process leading to them allow the House to muddy things and claim we are setting a destructive precedent for the future.

Of course, bad cases make bad law. The House’s decision to short-circuit the investigation—moving faster than any Presidential impeachment ever, and a wholly partisan one at that—are ground for nothing but good.

Second, the House should work in good faith with the Executive through the accommodation process. If that process reaches an impasse, the House should seek the assistance of the judicial branch before turning to impeachment.
Finally, when Articles of Impeachment come to the Senate along partisan lines, when nearly half of the people appear unmoved and maintain adamantine support for the President and when the country is just months away from the next election, it is clear that the American people would likely not accept removing the President, and the Senate can wisely decline to usurp the people’s power to elect their own President.

But today, and throughout this “trial,” we are failing this test and witnessing the very worst of the modern Senate. After being confronted with overwhelming evidence of a brazen abuse of executive power, and an equally brazen attempt to keep that misconduct hidden from and the American people, the Senate is poised to look the other way. To simply move on. To pretend the Senate has no responsibility to reveal the President’s misconduct and, God forbid, hold him accountable.

Indeed we are being told the Senate has no constitutional role to play, and only the American people should judge the President’s misconduct in the next election. This is despite the Senate’s constitutionally-mandated role, and despite the fact that the President’s scheme was aimed at cheating in that very election. And now the Senate is cementing a cover-up of the President’s misconduct, to keep its extent hidden and its impact on the election’s result. Then, will the American people be equipped to judge the President’s actions? How far the Senate has fallen.

In some ways, President Nixon’s misconduct—directing a break-in of the Democratic National Committee head-quarters to benefit himself politically—seems quaint compared to what we face today. As charged in Article I, President Trump secretly directed a sweeping, illegal scheme to withhold $600 million in aid from an ally at war in order to extort that ally into announcing investigations of his political opponent to boost his re-election. Then, instead of hiding select incriminating records, as President Nixon did, President Trump attempted to hide every single record from the American people. As reflected in Article II, President Trump has the distinction of being the only president in our nation’s history to direct all executive branch officials not to cooperate with a congressional investigation.

I want to be clear: I did not relish the prospect of an impeachment trial. I have stark disagreements with this President on issues of policy and the law, on morality and honesty. But it is for the American people to judge a president on those matters. Today is not about differences over policy. It is about the integrity of our elections, and it is about the Constitution.

The Constitution cannot protect itself. During this trial, the words of Washington, Madison, Jefferson, Hamilton, and Lincoln have frequently been invoked on behalf of our Constitution. Now it is our turn to record our names in defense of our democracy.

In Federalist No. 65, Alexander Hamilton described impeachment as the remedy for “the abuse or violation of some public trust.” Although that definition has guided the nation for 230 years, President Trump’s counsel would have us rely on a very different definition.

The central arguments presented by the President’s defense team were stunning. The President argues that we cannot convict him because abuse of power is not impeachable. He can abuse his power to benefit his re-election, and engage in improper quid pro quo, so long he believes his re-election is in the national interest. King Louis XIV famously said “I am the State”—might approve of that reasoning, but the Senate should condemn it. The President and his attorneys even argue that a president may welcome and even request foreign governments to “dig up dirt on our opponents with impunity. Yet not only are such requests illegal, they violate the very premise of our democracy—that American elections are decided only by Americans.

The Senate should flatly reject the President’s brazen and dangerous arguments. But an acquittal today will do the opposite. If you believe that the President’s outlandish arguments are irrelevant after today, and will have no prospect of an impeachment trial—may I remember this: The President’s counsel’s claim that abuse of power is not impeachable is largely—and mistakenly—based on the argument of another counsel, Justice Benjamin Curtis, defending another president from impeachment, President Johnson. That was 150 years ago.

What we do today will set a weighty precedent. An acquittal today—despite the overwhelming evidence of guilt, of obstruction, and of defiance of the Constitution—will be a weakening of the President’s outlandish arguments are not impeachable is largely—and mistakenly—based on the argument of another counsel, Justice Benjamin Curtis, defending another president from impeachment, President Johnson. That was 150 years ago.

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opponent’s emails. Hours later, Russia did. The President then weaponized Russia’s criminal influence campaign, which resulted in an investigation that uncovered a morass of inappropriate contacts with Russians, lies to cover them up, multiple instances of the President of the United States and 37 other indictments and convictions. Yet, after the saga concluded, the President felt liberated. Literally the day after Special Counsel Robert Mueller testified, the President asked the White House’s personal counsel “for a favor.” He has since publicly repeated his request for Ukraine to intervene in our election, and made the same request to China, on national television.

All of us must ask: If we acquit President Trump today, what will he do tomorrow? None of us knows. But two things I am confident of: President Trump’s willingness to abuse his office, and his eagerness to exploit foreign interference in our elections, will only grow. And, especially, Congress’s capability to do anything about it will be crippled.

While the President’s lawyers stood on the Senate floor and admonished the House Managers for failing to litigate each supposed act of court to exhaustion, he had other lawyers in court making the mutually exclusive argument that Article III courts have no jurisdiction to settle disputes between our two branches. Such duplicity would put the Roman God Janus to shame. Meanwhile, the President’s Department of Justice claims not only that President Trump cannot be indicted while in office, he cannot even be investigated.

But don’t worry, the President’s lawyers promise us, the President is still not above the law because Congress can hold him in check through our confirmation power and power of the purse. Neither would come close to checking a lawless executive. It is well known that the President has effectively stopped nominating senior officials in his administration. He has now set a modern record for acting cabinet secretaries, and I have served for 40 years. Members of this Committee not only write the purse. I am the Vice Chairman of this Committee and I have served for 40 years. Members of this Committee not only write the

Impeachment is a necessary and essential component of our Constitution. The Framers, having broken free from the grip of a monarchy, feared an unchecked executive who would use public dollars like a king: as a personal slush fund. Yet this is precisely what President Trump has done. If we fail to hold President Trump accountable for illegally freezing congressionally appropriated military aid to extract a personal favor, what would stop him from freezing disaster aid to states hit by hurricanes and flooding until governors or home state senators agree to endorse him? What would stop any future president from holding any foreign leader hostage to their personal whims? The answer is nothing. We will have relinquished the very check that the Founders entrusted to us to ensure a president could never behave like a king.

The President’s team also argued that impeachment is inappropriate unless it is fully bipartisan. Decades ago, I questioned whether an impeachment would be accepted if not bipartisan. But this argument has revealed itself to be painfully flawed. In 1974, Republicans ultimately convinced President Nixon to resign; in 1999, Democrats condemned President Clinton’s private misconduct and supported a formal censure. In contrast, with one important exception, President Trump’s support has thus far shown no limits in their tolerance of overwhelming misconduct; they even chased out of their party a Congresswoman who stood up to the President. Indeed, a prerequisite for membership in the Republican Party today appears to be the belief that he can do no wrong.

Under this standard, claiming that President Trump’s impeachment would only be valid if it were supported by his most unflinching enablers renders the impeachment process void and voided.

That said, I do understand the immense pressure my Republican friends are under to support this President. I know well how much easier it is for me to express my disgust and disappointment that the President has proven himself so unfit for his office. That is one reason why I feel it is important to make a commitment right now. If any president, Republican or Democrat, uses the power of his or her office to extort a foreign nation to interfere in our elections to do the president’s domestic political bidding, I will support their impeachment and removal. It is wrong, no matter the party. And we all should say so.

Before I close, I want to thank the brave individuals who shared their testimony with both the House of Representatives and American people. Each of these witnesses served this President in his administration. And extraordinarily, they witnessed misconduct originating in the highest office in world, and they spoke up. They did not hide behind the President’s baseless order not to cooperate. Most knew that by stepping forward they would be attacked by the President and some of his vindictive defenders. Yet they came forward anyway. We owe them our enduring appreciation. They give me hope for tomorrow.

Yet today is a dark day for our democracy. And what frightens me most is this: We are currently on a dangerous road, and no one has any idea where this road will take us. Not one of us here knows. But we all know our democracy has been indelibly altered.

The notion that the President has learned his lesson is farcical. The President’s lead counsel opened and closed this trial by claiming the President did nothing wrong. The President himself describes his actions as “perfect.” On 75 separate occasions, including yesterday, he’s claimed he’s done nothing wrong. Lord help us if the Senate agrees. The only lesson the President has learned from this trial is how easily he can get away with egregious, illegal misconduct.

If the Senate does not recognize the gravity of President Trump’s “violation of the public trust,” and hold him accountable, we will have seen but a preview of what is to come. Foreign interference in our elections. Total non-compliance with lawful congressional oversight. Disregard of our constitutional power of the purse. Open, flagrant corruption. I fear there is no bottom to it.

This is the tragic result of the Senate failing its constitutional duty to hold a real trial. We will leave President Trump “sacred and inviolable” and with “no constitutional tribunal to which he can be subjected without involving the crisis of a national revolution.” As Hamilton warned over two centuries ago, that is not a president; that is a king. I, for one, will not merely accept it.

I have listened very carefully to both sides over the past two weeks. The record has established, leaving no doubt in my view, that President Trump directed the most impeachable, corrupt scheme by any president in this country’s history. To protect our constitutional republic, and to safeguard our government’s system of checks and balances, my oath to our Constitution compels me to hold the President of the United States accountable.

I will vote to convict and remove President Donald J. Trump from office. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Alabama.

Mr. SHELBY. Mr. President, over the past 2 weeks, my colleagues and I have patiently listened to arguments from both the House managers and the President’s counsel right here in the Senate Chamber. I appreciate the letter from the House that the President has committed an act worthy of impeachment.

As a Senator, I believe that the first and perhaps most important consideration is whether abuse of power and obstruction of Congress are impeachable offenses as asserted by our House managers.

Impeachment is a necessary and essential component of our Constitution. It provides an important check on civil officers who commit offenses against the United States. However, our Founding Fathers were wise to ensure that the impeachment and the
conviction of a sitting President would not be of partisan intent. Since President Trump took office, many have sought to delegitimize his Presidency with partisan attacks. We have heard this right here in the Senate, and we have experienced it. This extreme effort to delegitimize the President, I believe, is unjustified and intolerable.

Now that the Senate has heard and studied the arguments from both sides, I believe the lack of merit in the House managers’ case is evident. The outcome of the impeachment trial is a foregone conclusion. Acquittal is the judgment the Senate should and, I believe, will render—and soon.

For my part, I have weighed the House managers’ case and found it wanting in fundamental aspects. I will try to explain.

I believe that their case does not allege an impeachable offense. Even if the facts are as they have stated, the managers have failed, I believe, as a matter of constitutional law, to meet the exceedingly high bar for removal of the President as established by our Founding Fathers, the Framers of the Constitution.

In their wisdom, the Framers rejected vague grounds for impeachment—offenses like we have heard here, “maladministration”—for fear that it would, in the words of Madison, result in a Presidential “tenure during [the] pleasure of the Senate.” “Abuse of power,” one of the charges put forward here by the House managers, is a concept as vague and susceptible to abuse, I believe, as “maladministration.” If you take just a minute or two to look at the definitions of “abuse” and “mal,” they draw distinct similarities. “Mal,” a prefix of Latin origin, means bad, evil, wrong. “Abuse,” also of Latin origin, means to wrongly use or to use for a bad effect. There is a kinship between “mal” and “abuse.” As the Framers rejected in their wisdom “maladministration,” I believe that they, too, would reject the non-criminal “abuse of power.” Instead, the Framers, as the Presiding Officer knows, provided for impeachment only in a few limited cases: treason, bribery, and high crimes and misdemeanors.

Only those offenses justify taking the dire step of removing a duly elected President from office and permanently taking his name off the ballot.

This institution, the U.S. Senate, I believe, should not lower the constitutional bar and authorize their theory of impeachment for abuse of power. It is simply not an impeachable offense, in my judgment. Their criteria for removal centers not on the President’s actions but on their loose perception of his motivations. If the Senate endorses this approach, we will dramatically transform the impeachment power as we have known it over the years. We will forsake the grave constitutional power into a tool for adjudicating policy disputes and political disagreements among all of us. The Framers, in their wisdom, cautioned us against this dangerous path, and I believe the Senate will heed their warning.

The other article, the House managers’ obstruction of Congress claim, is similarly flawed. Congress’s investigative functions are central to our constitutional factfinding. That is his constitutional right and has been the right of former Presidents from both parties. The President’s mere assertion of privileges and immunities is not an impeachable offense. Endorsing otherwise would be unprecedented and would ignore the past practices of administrations of both parties. Adopting otherwise would drastically undermine the separation of powers enshrined in our Constitution.

This was not what our Framers intended. Nowhere in the Constitution or in the Federal statute is abuse of power or obstruction of Congress listed as a crime—nowhere. What constitutes an impeachable offense is determined by the discretion of the Congress. We cannot expand, I believe, on the scope of actions that could be deemed impeachable beyond that which the Framers intended.

What we really have here, I believe, is nothing more than the abuse of the power of impeachment itself by the Democratic House. Doesn’t our country deserve better? The President certainly deserves better.

Today I am proud to stand and repudiate those very weak impeachment efforts, and I will accordingly vote to acquit the President on both articles.

My hope is that, in the future, Congress will reject this episode and, in-side by side, choose to be guided by the Constitution and the words from our Framers.

Basically, I believe it is a time to move on. We know that the American economy is booming. The United States is projecting strength and promoting peace abroad. The President is unbound. I believe the American people see all of this. At the end of the day, the ultimate judgment rests in their hands. In my judgment, that is just as it should be.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, Benjamin Franklin knew the strength of our Constitution. But he also knew its vulnerability. His words, oft repeated on this floor—“a republic, if you can keep it”—were a stark warning. Franklin believed every generation could face the challenge of protecting and defending our Nation’s liberty-affirming document.

We know this personally. Before we defend the Constitution of the United States. A trial of impeachment, more than any other Senate assignment, tests the oath each one of us takes before the people of this Nation.

The President’s legal team warns us of the danger of impeaching a President. The facts of this impeachment trial are well known, and many Republicans concede that they are likely true. They believe as I do, that President Trump pressured the Ukrainian President by withholding vital military aid and a prized White House visit in return for the announcement of an investigation of the Bidens and the Russian-concocted CrowdStrike fantasy.

Some of these same Republicans acknowledge that what the President did was “inappropriate.” At least one has used the word “impeachable.” But many say they are still going to vote to acquit him regardless. So let’s open our eyes to the morning after a judgment day. If acquittal in a baseless election siege by Russia and other enemies of the United States, we, the Senate, will have absolved a President who continues to brazenly invite foreign interference in our elections.

A majority of the body will have voted for the President’s argument that inviting interference by a foreign government is not impeachable if it serves the President’s personal political interests.

We will also have found for the first time in the history of this Nation that an impeachment proceeding in the Senate can be conducted without any direct witnesses or evidence presented on either side of the case. It is a President facing impeachment can ignore subpoenas to produce documents or witnesses to Congress.

Alexander Hamilton described the Senate as the very best venue for an impeachment trial because it is “independent and dignified,” in his words. When the Senate voted 51 to 49 against witnesses and evidence, those 51 raised into question any claim to independence or dignity.

In addition, an acquittal will leave the extreme views stated by the President’s defense counsel Alan Dershowitz unchallenged: first, that abuse of power is not an impeachable offense; second, that the impeachment charges against the President were constitutionally insufficient; and, third, his most dangerous theory, that unless the President has committed an actual crime, his conduct cannot be corrupt or impeachable as long as he believes it was necessary for his reelection.

In addition, the President’s defense counsel Robert Dershowitz would have excused Richard Nixon’s ordering of IRS audits of his political enemies. Mr. Dershowitz has created an
escape clause to impeachment, which is breathtaking in its impact and un-founded in our legal history. We have all received a letter signed by nearly 300 constitutional law scholars flatly rejecting the arguments offered by the President's team. I ask unanimous consent to have printed in the RECORD the scholars' letter.

There being no objection, the material is ordered to be printed in the RECORD, as follows:

TO THE UNITED STATES SENATE: The signatories of this letter are professors of law and/or American constitutional law who write to clarify that impeachment does not require proof of crime, that abuse of power is an impeachable offense, and that a president may not abuse the power of his office to secure re-election, whatever he may believe about how beneficial his continuance in power is to the country.

In impeachment, the president's private conviction that his continuance of power is for the greater good does not insulate him from impeachment. To accept such a view would give the president carte blanche to corrupt American electoral democracy. Distinguishing between minor misuses of presidential authority and grave abuses requiring impeachment and removal is not an exact science. That is why the Constitution assigns the task, not to a court, but to Congress, relying upon its collective wisdom to assess whether a president has committed a “high crime and misdemeanor” requiring his conviction and removal.

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Frank O. Bowman, III; Michael Gerhardt; Laurence H. Tribe; Brenda Weneapple; Timothy Naftali; Neal Kumar Katyal; Pamela K. Karlen; Joseph Fishkin; Leah M. Litman; Elliott Milstein; Prof. Deborah Rhode; David A. Straus; Martha Minow; Geoffrey R. Stone; Walter Dellinger; Charles Fried; Erwin Chemerinsky; Thomas Goldstein; Prof. G. Steinhardt; Dawn Johnsen; Sanford Levinson; John Mikhail; Michael C. Dorf; Julie R. O'Sullivan; Girardeau A. Spenn; Richard Primus; Corey Stewart; Dean; Victor E. Mitchell; Abbe Smith; James V. Feinerman; Jane M. Spinak, Esq.

Robert Calhoun; Christine Minhee; Nancy Cole; Ann Shalleck; Kate Shaw; Earl McConlogue; David A. Strauss; Jeffrey Faran; Ira C. Lupu; David C. Vladeck; Eric M. Freedman; Carol L. Chomsky; Jennifer Taub; Naomi R. Cahn; Stephen I. Vladeck; Jed Shugerman; Ilya Somin; Michael Diamond; Paul Litton; Christopher Gravitt; Prof. Sethcollege: Alan B. Morrison; Deborah Epstein; Dale A. Whitman; Rodney J. Uphoff; Barry Friedman; Greer Donley; Justin Levitt; Barbara A. Atwood; Daniel J. Steinbock; Samantha Buckley; Maxwell Stearns; Lauren E. Willis; Kirsten Matoy Carlson; Steven Alan Childress; Liz Ryan Cole.

Florence Wagman Roisman; Margo Kaplan; Mark A. Graber; Sally Goldfard; Carl N. Conklin; Kandice Johnson; Jeffrey O. Cooper; John Lande; John J. May; Caroline G. Davis; Randy Diamond; Melanie DeRousseau; Gerald S. Dickinson; Laura Rovner; J. Amy Dillard; Martha Albertson Fineman; Nancy Ok; Ann F. Thomas.

Prof. Dr. Jennifer A. Drobac; Cynthia Matson Adams; Denise Platifoot Lacey, Esq.; David A. Fischer; Ann E. Freedman; Michael A. Middleton; S. David Mitchell; Lance Gable; Julie Goldscheidt; Stuart Green; Alan K. Chen; Christopher Hawthorne.

Joshua Aaron Jones, JD, LL.M.; David R. Katner; Nicole B. Godfrey; Stefan H. Krieger; Sarah Lamdan; Laurie L. Levenson; Ann E. Tweedy; Caroline Mala Corbin; Nicole K. Lapham; David S. Cohen; Perry Dane; Stephen Meili.

James May; Nancy Ota; Catherine J. Ross; April Dawson; Professor Laura J. Hines; Jane C. Murphy; John T. Nockley; Professor Nancy Levit; Jonathan Oberman; Michele Gilman; Katherine A. Perez; Stephen Leffredo; William A. Rich.

Joyce Saltalamachia; Dveera Segal; Liz Ryan Cole; Ann Shalleck; Kate Shaw; Earl Singleton; Keith Werhan; Mary B. Culbert; Rachel Canzoneri; Chi Cantalupo; Professor Steven Zeidman; Kathleen Kim; Professor Lisa Kelly; Alan Saltzman.

Peter C. Earley; Neal Manheim; Jeffrey M. Feldman; Leah M Litman; Elliot Milstein; Prof. Deborah Ramirez; Stacy Hawkins; Jeffrey T.
More than anything, a verdict of acquittal says a majority of the Senate believes this President is above the law and cannot be held accountable for conduct abusing the powers of his office. And make no mistake, this President believes that is true.

On July 23—2 days before his phone call with President Zelensky—President Trump spoke to a group of young supporters and he said: “I have an Article II, where I have the right to do whatever I want as president.”

This is the dangerous principle that President Trump and his lawyers are asking us, with a verdict of acquittal, to accept. Under the oath I have sworn, I cannot.

What does it say of this Congress and our Nation that in 3 years, we have become so anesthetized to outrage that, for a majority in this Senate, there is nothing—not anything—this President can do or say that rises to the level of blasheworthy, let alone impeachable?

Nearly 6 years ago, I traveled to Ukraine with a bipartisan group of Senate colleagues led by John McCain. It was a trip I’ll never forget. It was an era when we crammed 5 days’ worth of meetings into 48 hours. We arrived in Kyiv on March 14, 2014. It was bitterly cold. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths.

I asked the Prime Minister what he meant. He said: “Kyiv on March 14, 2014. It was bitterly cold. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens met their deaths. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation’s military. They had done so by taking to the streets, risking their lives for democracy and a better future.
ever attended. As divided as our Nation may be and as divided as the Senate may be, we should remember America has weathered greater storms than this impeachment and our current political standoff.

If it was Abraham Lincoln, in the darkness of our worst storm, who called on us “to strive on to finish the work we are in, to work to bind the nation’s wounds.”

After this vote and after this day, those of us who have entrusted with this high office must each do our part to work to bind the wounds of our divided nation. I hope we can leave this Chamber with that common resolve.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, let me just begin with a note of optimism. You are going to get to pick the next President, not a bunch of politicians driving this process. I don’t say that lightly. I didn’t vote for President Trump. I voted for somebody I wouldn’t know if they walked in the door. But I accepted the fact that he won. That has been hard for a lot of people to do. And it is not like I am above all this. I am just being investigated. I supported the Mueller investigation. I had Democratic colleagues come to me and say: We are afraid he is going to fire Mueller. Will you stand with us to make sure Mueller can complete his investigation? And I did—2 years, $32 million, FBI agents, subpoenas, you name it. The verdict is in. What did we find? Nothing. I thought that would be it.

But it is never enough when it comes to President Trump. This sham process is the low point in the Senate for me. If you think you have done the country a good service by legitimizing this impeachment process, what you have done is unleashed the partisan forces of Hell. This is sour grapes. I don’t say that. This is about the country; this is about our President above the law. In the process of impeaching this President, you have come to know it in America, except President Trump. Everybody in America can confront the witnesses against them, except Donald Trump. Everybody in America can call witnesses on their behalf, except President Trump. Everybody in America can introduce evidence, except for President Trump. He is not above the law, but you put him below the law. In the process of impeaching this President, you have made it almost impossible for future Presidents to do their job.

In 78 days, you took due process, as we have come to know it in America, and threw it in the garbage can. This is the first impeachment in the history of the country driven by politicians.

The Nixon impeachment had outside counsel. Watergate prosecutors. The Clinton impeachment had Ken Starr. Who looked at President Clinton for years before he brought it to Congress. The Mueller investigation went on for 2 years. I trusted Bob Mueller. And when he rendered his verdict, it broke your heart. And you can’t let it go. The only way this is going to end permanently is for the President to get convicted and he will.

So as a body in America, it is a wholesale assault on the Presidency; it is abandoning every sense of fairness that every American has come to expect in their own lives; it is driven by blind partisanship and hatred of the man himself. And they wanted to do it in 78 days. Why? Because they wanted to impeach him before the election. I am not making this up. They said that. The reason the President never was allowed to go to court and challenge the subpoenas that were never issued is because they wanted to get away with it. Understood it might take time. President Clinton and President Nixon were allowed to go to article III court and contest the House’s action. That was denied this President because it would get in the way of impeaching him before the election.

And you send this crap over here, and you are OK with it, my Democratic colleagues. You are OK with the idea that the President was denied his day in court, and you were going to rule on executive privilege as a political body. You are willing to deal out the article III court because you hate Trump that much.

What you have done is you have weakened the institution of the Presidency. Be careful what you wish for because it is going to come back your way.

Abuse of Congress should be entitled “abuse of power by the Congress.” If you want to get to the truth, I have a bridge I want to sell you. These people hate Trump’s guts. They rammed it through the House in a way you couldn’t get a parking ticket, and they achieved their goal of impeaching him before the election.

The Senate is going to achieve its goal of acquitting him in February. The American people are going to get to decide in November whom they want to be their President after what has happened. And you send this over here, and you are OK with this, and you are OK with this. You support that?

Acquittal will happen in about 2 hours; exoneration comes when President Trump gets reelected because the people of the United States are fed up with this crap. But the damage you have done will be long-lasting.

Abuse of power. You are impeaching the President of the United States for suspending foreign aid for a short period of time that they eventually received ahead of schedule to leverage an investigation that never happened. You impeached the President of the United States for suspending foreign aid to leverage an investigation of a political opponent that never occurred. The Ukrainians did not know of the suspension until September. They didn’t feel any pressure. If you are OK with Joe Biden and Hunter Biden doing what they did, it says more about you than it does anything else. The point of the abuse of power article is that you think it is OK to call on any President to pick up the phone, if all of us can assume the worst and impeach somebody based on this objective standard. He was talking about corruption in the Ukraine with a past President.

And the Bidens’ conduct in the Ukraine undercut our ability to effectively deal with corruption by allowing his son to receive $3 million from the most corrupt gas company in the Ukraine. Can you imagine how the Ukrainian Parliamentarian must have felt to be lectured by Joe Biden about ending sweetheart deals?

What you have done is impeached the President of the United States and removed the President who is working to remove being suspended foreign aid for 40 days to leverage an investigation that never occurred.

And to my good friend DICK DURBIN, Donald Trump has done more to help the Ukrainian people fight the Russians than Barack Obama did in his entire 8 years. If you are looking for somebody to help the Ukrainian people fight the Russians, how about giving them some weapons? This is a sham. This is a farce. This is an affront to President Trump as a person. It is a threat to the office. It will end soon. There is going to be an overwhelming rejection of both articles. We are going to pick up the pieces and try to go forward.

But I can say this without any hesitation: I worry about the future of the Presidency after what has happened here. Ladies and gentlemen, you will come to regret this whole process.

And to those who have those pens, I hope you will understand history will judge those pens as a souvenir of shame.

Mr. President, this is my second Presidential impeachment. My first was as a House manager for the impeachment of President Clinton. I believe President Clinton corruptly interfered in a lawsuit filed against him by a private citizen alleging sexual assault and misconduct. It was clear to me the way he went about it was an act of corruption. This is an affront to President Trump as a person. It is a threat to the office. It will end soon. There is going to be an overwhelming rejection of both articles. We are going to pick up the pieces and try to go forward.

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Monica Lewinsky. While the conduct covered by that article was inappropriate, to have made such conduct impeachable would have done grave damage to the Presidency by failing to recognize that, in the future, the office will be occupied by flawed human beings. It was obvious to me that President Clinton's lying under oath about his relationship with Monica Lewinsky, while wrong, was not a high crime or misdemeanor and that many people in similar circumstances would be inclined to lie to protect themselves and their families.

As to the impeachment of President Trump, I feel compelled to condemn the impeachment process used in the House because I believe it was devoid of basic, fundamental due process. The process used in the House for this impeachment was unlike that used for Presidents Nixon or Clinton. This impeachment was completed within 78 days and had a spirit of partisanship and speed that accepted the Senate will lead to the weaponization of impeachment against future presidents.

President Trump was entirely shut out of the House impeachment stage in the House Intelligence Committee, which denied the right to counsel, and the right to cross-examine and call witnesses. Moreover, the great volume of evidence gathered against President Trump by the House Intelligence Committee consists solely because the House Judiciary Committee impeachment hearings were, for lack of a better term, a sham. And most importantly, the House managers admitted the reason that neither the House Intelligence Committee nor the House Judiciary Committee sought testimony in the House from President Trump's closest advisers, including former National Security Adviser John Bolton, Secretary of State Mike Pompeo, and Acting Chief of Staff Mick Mulvaney, is because it would have required the House to go to court, impeding their desire to impeach the President before the election. It was a calculated decision to deal article III courts out of President Trump's impeachment inquiry due to a political timetable. The Senate must send a clear message that this can never, ever happen again.

As to the substance of the allegations against President Trump, the abuse of power alleged by the House is vague, does not allege criminal misconduct, and requires the Senate to engage in a subjective analysis of the President's motives and actions. The House managers argued to the Senate that the sole and exclusive purpose of freezing aid to Ukraine was for the private, political benefit of President Trump. It is clear to me that there is ample evidence—much more than a mere scintilla—that the actions of Hunter Biden and Vice President Biden were inappropriate and undercut American foreign policy.

Moreover, there was evidence in the record that officials in Ukraine were actively speaking against Candidate Trump and were pulling for former Secretary of State Clinton. Based on the overwhelming amount of evidence of inappropriate behavior by the Bidens and statements by State Department officials about certain Ukrainians' beliefs that one American candidate would be better than the other, I found it eminently reasonable for the President to be concerned about Ukraine corruption, election interference, and the connection between Ukrainian President, Hunter Biden and his son Hunter. It is hard to believe that Vice President Biden was an effective messenger for reform efforts in Ukraine while his son Hunter was receiving $3 million from Burisma, one of Ukraine's most corrupt companies.

As Professor Dershowitz described, there are three buckets for examining allegations of corrupt motive or action with regards to impeachment. The first is where there is clearly only a public national benefit, as in the analogy of freezing aid to Israel unless it stops building new settlements. The second is the mixed motive category in which there is a public benefit—in this case, the public benefit of exposing the Bidens' conduct in the Ukrainian energy sector and the political benefit of a personal, political benefit as well. The third is where there is clearly a pure corrupt motive, as when there is a pecuniary or financial benefit, an allegation that has not been made against President Trump.

It is obvious to me that, after the Mueller report, President Trump viewed the House impeachment inquiry as a gross double standard when it comes to investigations. The House launched an investigation into his phone call with President Zelensky while at the same time the House showed no interest in the actions of Vice President Biden and Hunter Biden. The President, in my view, was justified in instructing his lawyers to look into the circumstances surrounding the firing of Ukrainian Prosecutor General Viktor Shokin, who was investigating Burisma, and whether his termination benefited Hunter Biden and Burisma.

It is clear to me that the phone call focused on burden-sharing, corruption, and election interference in an appropriate manner. The most vexing question was how the President was supposed to respond to legitimate concerns. The House managers in one moment suggest that President Trump could not have asked the Attorney General to investigate these concerns because that would be equivalent to President Trump asking for an investigation of a political rival. But in the next moment, the House managers declare that the proper way for President Trump to have dealt with those allegations would have been to ask the Attorney General to investigate. They cannot make this argument that it is fair to criticize President Trump's overreliance on his private attorney, Rudy Giuliani, to investigate alleged corruption and conflicts of interest regarding the Bidens and Burisma. However, I do not find this remotely an impeachable offense, and it would be beneficial for the country as a whole to find ways to deal with such matters in the criminal-justice system.

Assuming the facts in the light most favorable to the House managers, that for a period of time the aid was suspended by President Trump to get Ukraine to investigate him and election interference, I find both articles fail as nonimpeachable offenses. I find this to be the case even if we assume the New York Times article about Mr. Bolton is accurate. The Ukrainians received the military aid and did not open the requested investigation.

The abuse of power Article of Impeachment is beyond vague and requires a substantive analysis that no House would allow. This article must be soundly rejected. Whether one likes President Trump or not, he is the President with privileges attached to his office.

The House of Representatives, I believe, abused their authority by rushing the impeachment and putting the Senate in the position of having to play the role of an article III court. The long-term effect of this practice would be to neutralize the Presidency, making the office of the President only as strong as the House will allow. This article must be soundly rejected and not only in this case, but in the future.

The allegations contained in this impeachment are not what the Framers had in mind as high crimes or misdemeanors. The Framers, in my view, envisioned serious, criminal-like misconduct that would shake the foundation of the American constitutional system. The Nixon impeachment had broad bipartisan support once the facts became known. The Clinton impeachment started with bipartisan support in the House and ended with bipartisan support in the Senate, even though it fell well short of the two-thirds vote requirement to remove the President. In the case of President Trump, this impeachment started with an affair with bipartisan rejection of the Articles of Impeachment in the House and, if not rejected in the Senate, will lead to impeachment as almost an inevitability, as future Presidents will be exposed to the same standards of the House in any given moment.

My decision to vote not guilty on both Articles of Impeachment, I hope, will be seen as a rejection of what the House did and how they did it. I firmly believe that article III courts have a role in the impeachment process and that, to remove a President from office, the conduct has to be of a nature
that would shake the very foundation of our constitutional system. The impeachment of President Trump was driven by a level of partisanship and ends justify the means behavior that the American people have rejected. The best way to end this matter is to allow the American people to vote for or against President Trump in November, not to remove him from the ballot.

These Articles of Impeachment must be soundly rejected by the Senate because they represent an assault on the Presidency to itself and the Constitution. The weaponization of impeachment as a political tool. They must fail for a variety of reasons. First, the conduct being alleged by House managers is that there was a temporary suspension on military assistance to Ukraine, which was eventually received ahead of schedule to leverage an investigation that never occurred. This is not the constitutional earthquake the Founders had in mind regarding bribery, treason, and high crimes and misdemeanors. Second, the articles as drafted do not allege any semblance of a crime and require the Senate to make a subjective analysis of the President’s motives. Third, the record is abundant with evidence that the President had legitimate concerns about corruption, election interference emanating from the Ukraine, and that Vice President Biden and his son undercut U.S. efforts to reform corruption within the Ukraine.

The second article, alleging obstruction of Congress, is literally punishing the President for exercising the legal rights available to all Presidents as part of our constitutional structure. This article must fail because the House chose their impeachment path based on a political timetable of impeaching the President before Christmas to set up an election year trial in the Senate. The Senate must reject the theory offered by the House managers with the notion of an obstruction of Congress; to do otherwise would allow the House in the future to deal article III courts out of the impeachment process and give the House complete control over the impeachment field in a way that denies fundamental fairness.

Because it took the House 78 days from start to finish to impeach the President of the United States and, during its fact-gathering process, the House denied the President the right to counsel, to cross-examine witnesses against him, and the ability to introduce evidence on his behalf, the Senate must reject both Articles of Impeachment.

I am compelled to vote not guilty, to ensure impeachment will not become the new normal.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, the Articles of Impeachment before us charged President Donald John Trump with offenses against the Constitution and the American people.

The first Article of Impeachment charges that President Trump abused the Office of the Presidency by soliciting the interference of a foreign power, Ukraine, to benefit himself in the 2020 election. The President asked a foreign leader to do us a favor”—meaning him—and investigate his political opponents.

In order to elicit these political investigations, President Trump withheld a White House meeting and hundreds of millions of dollars in military assistance to an ally at war with Russia. There is extensive documentation in the record proving this quid pro quo and the corrupt motive behind it. The facts are not seriously in dispute. In fact, several Republican Senators admitted they believe the President committed this offense with varying degrees of “inauspicious,” “wrong,” “shameful.” Almost all Republicans will argue, however, that this reprehensible conduct does not rise to the level of an impeachable offense.

The Founders could not have been clearer. William Davie, a delegate to the Constitutional Convention, deemed impeachment “an essential security,” lest the President “spare no efforts or means whatever to get himself re-elected.”

James Madison offered a specific list of impeachable offenses during a debate in Independence Hall:

A President “might lose his capacity” or embarrassment.

“A despicable soul might even succumb to bribes while in office.”

Madison then arrived at what he believed was the worst conduct a President could engage in: the President “betray his trust to foreign powers,” which would be “fatal to the Republic.” Those are Madison’s words.

When I studied the Constitution and the Federalist Papers in high school, admittedly, I was skeptical of George Washington’s warning that “foreign influence is one of the most baneful foes of republican government.” It seemed so far-fetched. Who would dare? But the foresight and wisdom of the Founders endure. Madison was right.

There is no greater subversion of our democracy than for powers outside of our borders to determine elections within them. If Americans believe that they don’t determine their Senator, their Governor, their President, but, rather, some foreign potentate does, that is the beginning of the end of democracy.

For a foreign country to attempt such a thing on its own is contemptible. For an American President to deliberately solicit such a thing—to blackmail a foreign country into helping him win an election—is unforgivable.

Does this rise to the level of an impeachable offense? Of course, it does. The term “high crimes” derives from English law. “Crimes” were committed between subjects of the monarchy. “High crimes” were committed against the Crown itself. The Framers did not design a monarchy; they designed a democracy, a nation where the people were King.

High crimes are those committed against the entire people of the United States.

The President sought to cheat the people out of a fair and free election. How could such an offense not be deemed a high crime—a crime against the people? As one constitutional scholar in the House debate hearings testified: “If this is not impeachable, nothing is.” I agree.

I judge that President Trump is guilty of the first Article of Impeachment.

The second Article of Impeachment is equally straightforward. Once the President realized he got caught, he tried to cover it up. The President asserted blanket immunity. He categorically defied congressional subpoenas, ordered his aides not to testify, and withheld the production of relevant documents.

Even President Nixon, author of the most infamous Presidently coverup in history, permitted his aides to testify in Congress in the Watergate investigation. The idea that the Trump administration was properly invoking the various rights and privileges of the Presidency is nonsense. At each stage of the House inquiry, the administration conjured up a different bad-faith justification for evading accountability. There is no circumstance under which the administration would have complied.

When I asked the President’s counsel twice to name one document or one witness the President provided to Congress, they could not answer. It cannot be that the President, by dint of legal shamelessness, can escape scrutiny entirely.

Once again, the facts are not in dispute, but some have sought to portray the second Article of Impeachment as somehow less important than the first. It is not. The second Article of Impeachment is necessary to ensure we are able to hold a President accountable—again, Democratic or Republican. The consequences of sanctioning such categorical obstruction of Congress will be far-reaching, and they will be irreparable.

I judge that President Trump is guilty of the second Article of Impeachment.

The Senate should convict President Trump and remove him from the Presidency and disqualify him from holding future office. The guilt of the President on these charges is so obvious that he, again, several Republican Senators admit that the House has proved its case.

So instead of maintaining the President’s innocence, the President’s counsel ultimately told the Senate that even if the President did what he was accused of, it is not impeachable. This has taken the form of an escalating series of Dershowitzian arguments, including “Abuse of power is not an impeachable offense”; “The President...
can’t be impeached for noncriminal conduct, but he also can’t be indicted for criminal conduct’; ‘If a President believes his own reelection is essential to the Nation, then a quid pro quo is not corrupt.’ These are the excuses of a child caught in a lie.

Each excuse is more outlandish and desperate than the last. It would be laughable if not for the fact that the cumulative effect of these arguments would render not just this President but all Presidents immune from impeachment and therefore above the law.

Several Members of this Chamber said that even if the President is guilty and even if it is impeachable, the Senate still shouldn’t convict the President because there is an election coming up—as if the Framers forgot about elections when they wrote the impeachment clause. If the Founders believed that even when a President is guilty of an impeachable offense, the next Congress would decide his fate, they never would have included an impeachment clause in the Constitution. That much is obvious.

Alone, each of the defenses advanced by the President’s counsel comes close to becoming preposterous. Together, they are as dangerous to the Republic as this President—a fig leaf so large as to excuse any Presidential misconduct. Unable to defend the President, arguments were found to make him a King.

Let future generations know that only a fraction of the Senate swallowed these fantasies. The rest of us condemn them to the ash heap of history and the derision of first-year law students everywhere.

We are only the third Senate in history to sit as a Court of Impeachment for the President. The task we were given was not easy, but the Framers knew the country would need a firewall against the deep state. They considered others, but they entrusted it to us, and the Senate failed. The Republican caucus trained its outrage not on the conduct of the President but on the impeachment process in the House, deriding—falsely—an alleged lack of fairness and thoroughness.

The conjured outrage was so blinding that the Republican majority ended up guilty of the very sins it falsely accused the House of committing. It conducted, at least through, most rushed impeachment trial in the history of this country.

A simple majority of Senators denied the Senate’s right to examine relevant evidence, to call witnesses, to review documents, and to properly try the impeachment of the President, making this the first impeachment trial in history that heard from no witnesses. A simple majority of Senators, in deference to and most likely in fear of the President of their party, perpetrated a great injustice and made this the first impeachment trial of President Trump. As a result, the verdict of this kangaroo court will be meaningless.

By refusing the facts, by refusing witnesses and documents, the Republican majority has placed a giant asterisk—the asterisk of a sham trial—next to the acquittal of President Trump, written in permanent ink. Acquittal and an unfair trial with this giant asterisk defies the Framers’ concern that trials be worth nothing at all to President Trump or to anybody else.

No doubt, the President will boast he received total exonerations, but we know better. We know this wasn’t a trial at all. It was not in accordance with the law and could be put on trial. A trial—a place where you seek truth. The Republican majority didn’t let the President speak, didn’t let the President’s counsel come close to being preposterous. Together, these fantasies. The rest of us condemn them to the ash heap of history and the derision of first-year law students everywhere.

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to keep partisan flames from scorching our Republic. So they created the Senate—out of “necessity.” James Madison wrote, “of some stable institution in the government.”

Today, we will fulfill this founding purpose. We will reject this incoherent case that comes nowhere near—nowhere near—justifying the first Presidential removal in history. This partisan impeachment will end today, but I fear the threat to our institutions may not. Because this episode is one symptom of something much deeper.

In the last 3 years, the opposition to this President has come to revolve around a truly dangerous concept. Leaders in the opposite party increasingly argue that, if our institutions don’t produce the outcomes they like, our institutions themselves must be broken. One side has decided that defeat simply means the whole system is broken, that we must literally tear up the rules and write new ones.

Normally, when a party loses an election, it accepts defeat. It reflects and retools—but not this time.

When Secretary Clinton was suggesting her defeat was invalid. She called our President “illegitimate.” A former President falsely claimed: “[President] Trump didn’t actually win.” “He lost the election.” a former President said. Members of Congress have used similar rhetoric—a disinformation campaign, weakening confidence in our democracy.

The very real issue of foreign election interference was abused to fuel conspiracy theory for years. For years, voices said there had been a secret conspiracy between the President’s campaign and a foreign government, but when the Mueller investigation and the Senate Intelligence Committee debunked that, the delegitimizing endeavor didn’t stop. It didn’t stop.

Remember what Chairman SCHIFF said here on the floor? He suggested that if the American people reelect President Trump in November they would vote against the President, by rushing to use the impeachment threat to keep partisan flames from scorching our Republic. So they created the Senate—out of “necessity.” James Madison wrote, “of some stable institution in the government.” As she noted, if Americans become “consumed by par- tisan passions,” we can easily do that work for them.

The architects of this impeachment claimed they were defending norms and traditions. In reality, it was an assault on both.

First, the House attacked its own precedents on fairness and due process and by rushing to use the impeachment power as a political weapon of first resort. Then their articles attacked the Office of the President when they attacked the Senate and called us “treacherous.” Then the far left tried to impeach the Chief Justice for remaining neutral during the trial.

So, the final act, the Speaker of the House is trying to steal the Senate’s survey power. The Speaker says she will just refuse to accept this acquittal. The Speaker of the House of Representatives says she refuses to accept this acquittal—whatever that means. Perhaps she will tear up the verdict like she tore up the State of the Union Address.

Now, for the final act, the Speaker of the House is trying to steal the Senate’s survey power. The Speaker says she will just refuse to accept this acquittal. The Speaker of the House of Representatives says she refuses to accept this acquittal—whatever that means. Perhaps she will tear up the verdict like she tore up the State of the Union Address.

So I would ask my distinguished colleagues across the aisle: Is this really—really—where you want to go? The President isn’t the President? An acquittal isn’t an acquittal? Attack institution until they get their way? Even my colleagues who may not agree with this President must see the insanity of this logic. It is like saying you are so worried about a bull in a china shop that you want to bulldoze the china shop to chase it out.

Here is the most troubling part. There is no sign this attack on our institutions will end here. In recent months, Democratic Presidential candidates and Senate leaders have toyed with killing the filibuster so that the Senate could approve radical changes with less deliberation and less persuasion.

Several of our colleagues sent an extraordinary brief to the Supreme Court, threatening political retribution if the Justice did not decide a case the way they wanted.

We have seen proposals to turn the FEC—the regulator of elections and political speech—into a partisan body for the first time ever.

All of these things signal a toxic temptation to stop debating policy within our great American governing traditions and, instead, declare war on the traditions themselves—a war on the traditions themselves.

So, colleagues, with whatever policy differences we may have, we should all agree there is no kind of recklessness the Senate was created to stop. The response to losing one election cannot be to attack the Office of the President. The response to losing several elections cannot be to threaten the electoral college. The response to losing a court case cannot be to threaten the judiciary. The response to losing a vote cannot be to threaten the Senate.

We simply cannot let factional fever break our institutions. It must work the other way. Hamilton and Madison intended. The institutions must break the fever rather than the other way around.

The Framers built the Senate to keep temporary rage from doing permanent damage to our Republic.

The Framers built the Senate to keep temporary rage from doing permanent damage to our Republic. That is what we will do when we reject this precedent-breaking impeachment.

I hope we will look back on this vote and say this was the day the fever began to break.

I hope we will not say this was just the beginning.

Mr. GRASSLEY. Mr. President, as Senators, we cast a vote of thousands of our tenure in this body. I have cast over 13,200 of them. Each vote is important. A vote to convict or acquit the President of the United States on charges of impeachment is one of the most important votes a Senator could ever cast. Until this week, such a vote has only taken place twice since the founding of our Republic.

The President has been accused of committing “high Crimes and Misdemeanors” for requesting that a foreign leader launch an anti-corruption investigation into a potential political opponent and obstructing Congress’s subsequent inquiry into his actions. For such conduct, the House of Representatives asks this body to remove the President from office and remove him from ever again serving in a position of public trust. As both a judge and juror, this Senator asks first whether the conduct alleged rises to the level of an offense that unquestionably demands removal. If it does, I ask whether the House has presented a reasonable doubt that the conduct actually occurred. The House’s case clearly fails on the first of those questions. Accordingly, I will vote not guilty on both articles.

The President’s request, taken at face value, is not impeachable conduct. A President is not prohibited by law or any other restriction from engaging the assistance of a foreign ally in an investigation. The House attempts to cure this defect by suggesting that the President’s subjective motive—political advantage—is enough to turn an otherwise unimpeachable act into one that demands permanent removal from office. I will not lend my vote in support of such an unnecessary and irreversible break from the Constitution’s clear standard for impeachment.

The Senate is the institution of precedent. It was formed and often guided, especially in times like this, by history and the actions of our predecessors. While we look to history, however, we must be mindful of the reality that our choices make history, for better or for worse. We make and do here necessarily becomes part of the roadmap for future Presidential impeachments and their consideration by this body. These days, that reality can be difficult to keep front and center. We will do what we say and do here necessarily becomes part of the roadmap for future Presidential impeachments and their consideration by this body. These days, that reality can be difficult to keep front and center.

The Framers intended a President of the United States who has been impeached can lead to cut corners, overheated rhetoric, and rushed
results. We are each bound by the special oath we take while sitting as a Court of Impeachment to "do impartial justice according to the Constitution and laws." But as President pro tempore, I recognize we must also do justice to the institution and to the Republic that it serves.

This trial began with a full and fair opportunity to debate and amend the rules that would guide our process. The Senate considered and voted on 11 separate amendments to the resolution, over the span of nearly 13 hours. Consistent with precedent, the Senate adopted a resolution to allow the same length of time for opening arguments and questions as was agreed to unanimously in 1999 during the Clinton impeachment trial. Consistent with precedent, the Senate agreed to table the issue of witnesses and additional evidence until after the conclusion of questions from Members. Consistent with precedent, the Senate engaged in a robust 6-hour open debate on the necessity of calling witnesses and pursuing additional evidence. We heard nearly 24 hours of presentation from the House managers, nearly 12 hours of presentation from the President's counsel, and engaged in 16 hours of questioning to both sides.

Up to today, the Senate has sat as a Court of Impeachment for a combined total of over 70 hours. The Senate did not and does not cut corners, nor can the final vote be credibly called a rushed result or anything less than the product of a fair and judicious process. Future generations, if faced with the toxic turmoil of impeachment, will be better served by the precedent we followed and the example we set in this Chamber. I cannot in good conscience say the same of the articles before us today.

I have said since the beginning of this unfortunate episode that the House's articulate, don't say the same of the articles before us today. I know a thing or two about obstruction of Congress. I have told the President she must be removed from office. And running for office does not make one immune from scrutiny. But the President’s request was poorly timed and poorly executed, and he should have taken better care to avoid even the mere appearance of impropriety. Had he done so, this impeachment saga might have been avoided altogether. It is clear that many of the President’s opponents had plans to impeach him from the day he took office. Articles of Impeachment should not be moving target.

The President himself, however, should not conclude from my vote that I think his conduct was above reproach. He alone knows what his motives were. The President has a duty to the American people, and to the Republic no matter who is implicated. And running for office does not make one immune from scrutiny. But the President’s request was poorly timed and poorly executed, and he should have taken better care to avoid even the mere appearance of impropriety. Had he done so, this impeachment saga might have been avoided altogether. It is clear that many of the President’s opponents had plans to impeach him from the day he took office. Articles of Impeachment should not be moving target.

The President’s second article, impeaching the President for “abuse of power,” rests on objectively legal conduct. Until Congress legislates otherwise, a President is well within his or her legal and constitutional authority, as the head of state, to request that a foreign leader assist with an anti-corruption investigation falling outside of the jurisdiction of our domestic law enforcement authorities. Short of potential blowback, there is also nothing in the law that prohibits a President from conditioning his or her official acts upon the agreement by the foreign leader to carry out such an investigation.

In an attempt to cure this fundamental defect in its charge, the House’s “abuse of power” article sets out an impossibly vague standard to justify removing the Chief Executive from office. As the House’s trial brief and presentation demonstrated, its theory of the case rests entirely on the President’s subjective motive for carrying out objectively permissible conduct. For two reasons, this cannot be sustained.

First, the House would seemingly have the Senate believe that motive by itself is sufficient to prove the illegality of an action. House managers repeatedly described the President’s “corrupt motive” as grounds for removal from office. But this flaps basic concepts in our justice system upside down and represents an unprecedented expansion of the impeachment authority. With limited exception, motive is offered in court to show that the defendant on trial is the one who most likely committed the illegal act that has been charged. Jealously might compel one neighbor to steal something from another. But a court doesn’t convict the defendant for a crime of jealousy. Second, let’s assume, however, that motive could be grounds for impeachment and removal. The House offers no limiting principle or clear standard whatsoever of what motives are permissible. Under such an amorphous standard, future Houses would be empowered to impeach Presidents for taking lawful action for what the House considers to be the wrong reasons.

The House also gives no aid to this institution or to our successors on whether impeachment should rest on proving a single, “corrupt” motive or whether mixed motive suffices under the President’s authority to remove a President from office. In its trial brief presented to the Senate, the House asserts that there is “no credible alternative explanation” for the President’s alleged conduct. This formulation, in the House’s own brief, necessarily implies that the presence of a credible alternative explanation for the President’s conduct would defeat the “abuse of power” theory. But once the Senate heard the President’s counsel’s presentation, the House changed its tune. Even a credible alternative explanation—or multiple benign motives—shouldn’t stop this body from removing the President, so long as one “corrupt” motive is in the mix. This apparent shift in trial strategy seems less indicative of a cohesive theory and more reflective of an “impeach-by-any-means-necessary” mindset. But reshaping their own standard mid-trial only served to undercut their initial arguments.

Simply asserting at least 37 times, as the House managers did, during the trial that their evidence was “overwhelming” and that the President’s guilt was proven does not make the underlying allegations accurate or prove an impeachable offense. Even in the midst of questions and answers, after opening arguments had concluded, the House managers started repeating the terms “bribery” and “extortion” on the theory that the Senate’s opposition to them appears anywhere in the House’s articles. These are serious, statutory crimes that have specific elements of proof; they shouldn’t be casually used as window dressing to inflame the jury. The text of the Constitution and the Framers' clear intent to limit the scope of the impeachment power counsels in favor of such a brightline rule. And until this episode, no President has been impeached on charges that didn’t include a violation of established law. Indeed, the only Presidential impeachments considered by this body included alleged violations of laws, and both resulted in acquittals. But the stated ambiguities surrounding the “abuse of power” theory, acknowledged even by the House managers, give this Senator reason enough to vote not guilty. If we are to lower the bar of impeachment, we better be clear on where the bar is being set.

The Senate, accordingly, doesn’t need to resolve today the question of whether a criminal violation is necessary for a President’s conduct to be impeachable. The text of the Constitution and the Framers’ clear intent to limit the scope of the impeachment power counsels in favor of such a brightline rule. And until this episode, no President has been impeached on charges that didn’t include a violation of established law. Indeed, the only Presidential impeachments considered by this body included alleged violations of laws, and both resulted in acquittals. But the stated ambiguities surrounding the “abuse of power” theory, acknowledged even by the House managers, give this Senator reason enough to vote not guilty. If we are to lower the bar of impeachment, we better be clear on where the bar is being set.

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The President’s second article, impeaching the President for “obstruction of Congress,” is equally unprecedented as grounds for removal from office and patently frivolous. It purports that, if the President claims constitutional privileges against Congress, “threatens” to litigate, or otherwise fails to immediately give up the goods, he or she must be removed from office.

I know a thing or two about obstruction by the executive branch under
both Democrat and Republican administrations. Congressional oversight—rooting out waste, fraud, and abuse—is central to my role as a Senator representing Iowa taxpayers and has been for 40 years. If there is anything as sure as death and taxes, it is Federal agencies’ practices resisting Congress’ efforts to look behind the curtain. In the face of obstruction, I don’t retreat. I go to work. I use the tools the Constitution provides to this institution. I withhold consent on nominees until I get an honest answer to an oversight request. I work with my colleagues to exercise Congress’s power of the purse. And when necessary, I take the administration to court. That is the very core of checks and balances. For years, I fought the Obama administration to obtain documents related to Operation Fast and Furious. I spent years seeking answers and records from the Obama administration during my investigation into Secretary Clinton’s mishandling of highly classified information.

Under the House’s “obstruction of Congress” standard, should President Obama have been impeached for his failure to waive privileges during the course of other oversight investigations? We fought President Obama on this for 3 years in the courts, and we still didn’t end up with all we asked for. We never heard a peep from the Democrats then. So the hypocrisy here by the House Democrats is on full display.

When I face unprecedented obstruction, I don’t agitate to impeach. Rather, my office aggressively negotiates, in good faith, with the executive branch. We discuss the scope of questions and document requests. We discuss the intent of the inquiry to provide context for the requested documents. We build an airtight case and demand cooperation. Negotiations are difficult time.

In the case before us, the House issued a series of requests and subpoenas to individuals within the White House and throughout the administration. But it did so rather early in its inquiry. The House learned of the whistleblower complaint in September, issued subpoenas for records in October, and impeached the President by December, 4 months from opening the inquiry. The House failed to exhaust all legal remedies to enforce its requests and subpoenas. When challenged to stand up for the legality of its requests, the investigation committee simply retreated. Yet, now, the House accuses the Senate of aiding and abetting a coverup, if we don’t finish their job for them. The evidence is “overwhelming,” yet the Senate must entertain more witnesses and gather more records that the House chose to forgo.

The House’s failure to proceed with their investigation in a reasonable, good-faith manner has created fundamental flaws in its own case. They skipped basic steps. It is not the job of the Senate to fix the fundamental flaws that directly result from the House’s failure to do its job. The Senate may cower to defend its own authority, but it will not extort and demean this body into cleaning up a mess of the House’s own making.

For the myriad ways in which the House failed to exercise the fundamentals of oversight, for the terrible new precedent the House wants us to endorse, and for the risk of future generations taking it up as the standard, I will vote not guilty on the obstruction article.

But whistleblower claims require careful evaluation and follow up, particularly because their initial claim frames your inquiry and forms the basis for further fact finding. The questions you ask and the documents and witnesses you seek all start there. Any investigator worth their salt will tell you that the investigative process involving a whistleblower, or indeed any witness, requires the investigator to evaluate that individual’s claim and credibility. It is standard procedure. So we talk to the whistleblower, we meet with them. We try to exhaust all possible, we look at their documents. We keep them confidential from potential retaliators, but not from the folks who need to speak with them to do their jobs. When whistleblowers bring us significant cases of bipartisan interest, where we have already evaluated their claim and credibility and determined that the claim merits additional follow up, we also frequently work closely with the other side to look into those claims.

We have done many bipartisan investigations of whistleblowers’ claims over the years and hopefully will continue to do so. We trust the other side to respect the whistleblower’s confidence as well and treat the investigation seriously. We have worked with many witnesses in investigations who want to maintain low profiles and who request additional security measures to come and speak with us. We are flexible on location. We have the Capitol Police. We have SCIFs. We have the Capitol Visitor Center. We have interviewed witnesses in both classified and unclassified settings. We are willing to work with those witnesses to make them comfortable and to ensure they are in a setting that allows them to share sensitive information with us.

I know the House committees, particularly the oversight committees, have all taken that course themselves. They routinely work with whistleblowers too. Both sides understand how important it is to whistleblowers and the American people to keep hidden from Congress and the public those facts. I fear that, to achieve its purposes involving a whistleblower, or in-prisal or efforts to throw stones with-out facts. But neither do I support efforts to skirt basic fundamental investigative procedures to try and learn those facts. I fear that, to achieve its desired ends, the House weaponized and politicized whistleblowers and whistleblower reporting for purely partisan purposes. I hope that the damage done from all sides to these decades-long efforts will be short lived.

Finally, throughout my time on the Judiciary Committee, including as Chairman, I have made it a priority to hold judicial nominees to a standard of restraint and fidelity to the law. As judges in the Court of Impeachment, we too should be mindful of those factors which counsel restraint in this matter.

To start, these articles came to the Senate as the product of a flawed, unprecedented and partisan process. For
In the 220 years this body has served as a constitutional court of impeachment, we have never refused to look at critical evidence sitting in front of us. We have never raced to a pre-ordained verdict while deliberately avoiding the truth or evaluating plainly critical evidence.

And when I say “sitting in front of us,” I mean that literally. Just this morning, we learned that Pat Cipollone, lead counsel for the President, along with Rudy Giuliani and Mick Mulvaney, was part of a meeting where President Trump directed John Bolton to “ensure [President] Zelensky would meet with Mr. Giuliani.” A meeting with the President’s personal lawyer is not subject to executive privilege; and a meeting with Bolton and Mulvaney is not subject to attorney-client privilege. And this afternoon we received a proffer from Lev Parnas’s attorney, claiming that Parnas could provide us with testimony implicating several cabinet officials and members of Congress in the President’s obstruction of justice. Whether that is credible, but shouldn’t he at least be heard and cross-examined? The Senate cannot turn a blind eye to such directly relevant evidence.

This slipshod process reminds me of the trial of Alice in Wonderland. In that trial, the accusation was read, and the King immediately said to the jury, “Consider your verdict.” But even in that case it was acknowledged that “There’s a great deal more to that,” and the first witness was called. With apologies to Lewis Carroll, surely the United States Senate can at least match the rigorous criminal procedure of Wonderland?

The oath that each of us swore just two weeks ago requires that we do “impartial justice.” Reasonable people can disagree about what that means, but every single time this body has sat as a court—every single time—it has heard and weighed sworn testimony. We have never been denied the opportunity to hear from critical witnesses with firsthand information. During the Johnson trial, this court heard live testimony from 11 witnesses, including private counsel for the President and a cabinet secretary. During the Clinton trial, three witnesses were deposed and we considered the grand jury testimony of the President’s chief of staff, deputy chief of staff, and members of the House Council—plus the grand jury testimony of the President himself. “Impartial justice” cannot mean burying our collective heads in the sand, and preventing relevant, probative testimony from being taken.

Briefly, I also want to address the arguments made against calling witnesses. The President has said that “Witnesses are up to the House, not up to the Senate.” But the Senate has never been, and should not be now, limited to the House record. The Senate’s constitutional duty to consider impeachment stands independent of the House’s obligation. The Constitution does not allow the House’s action or inaction to limit the evidence and testimony the Senate can and must consider. The last time we sat as a court we heard from 26 witnesses in total, including 17 who had not testified before the House. Seventeen.

Some have also said that calling witnesses like John Bolton would leave us tangled up in an endless court battle over executive privilege. Not so. The Senate alone has the “sole Power to try all impeachments.” Chief Justice John Marshall reminded us just a few years ago in Zivotofsky v. Clinton that Article III courts cannot hear cases “where there is a textually demonstrable constitutional commitment of the issue to coordinate political departments.” And in Walter Nixon v. United States, the Supreme Court expressly ruled out “[a]judicial involvement in impeachment proceedings, even if only for purposes of judicial review.”

And if we simply, executive privilege cannot prevent testimony from a private citizen like Bolton who is willing to testify. And, in any event, the President has almost certainly waived any claim to privilege by endlessly tweeting about the media about his conversations with Bolton. The Senate is not helpless. We are the only court with jurisdiction. We can and should resolve these questions.

Let us conduct this trial with the seriousness it deserves—consistent with Senate precedent, the overwhelming expectations of the American people, and how every other trial across the country has conducted political division.

As Senators, we are here to debate and vote on difficult questions. I understand this may be a difficult question politically—but it is nowhere close to a difficult question under the law or common sense. I do not believe for one second that any of us sought public office to become an accomplice to what can only be described as a cover-up. As the Chief Justice has reminded us, we have the privilege of serving in the only branch of government that withstands, the American people will learn the truth, likely sooner rather than later. Maybe even over the upcoming weekend. What will they think of a Senate that went to extraordinary lengths—ignoring 220 years of precedent, any notions of fairness or respect for facts, and indeed ignoring our duties to the Constitution itself—to keep the truth buried?

But if we adopt the rule—rejected even in Wonderland—of verdict first, witnesses later, be assured those witnesses will eventually follow. Whether through FOIA, journalism, or book releases, the American people will learn the truth, likely sooner rather than later. Maybe even over the upcoming weekend. What will they think of a Senate that went to extraordinary lengths—ignoring 220 years of precedent, any notions of fairness or respect for facts, and indeed ignoring our duties to the Constitution itself—to keep the truth buried?

Some have also said that calling witnesses will embolden this President to further obstruct the Congress, this Senate, and the balance of power so carefully established by the Framers in the Constitution. It will ratify the President’s shell game of telling the House it should sue to enforce its subpoenas, and then telling courts that the House has no standing to do so. Just today, after a week
of his counsel arguing that the President cannot be impeached for failing to respond to House subpoenas, the Justice Department argued in court that the House can use its impeachment power to enforce its subpoenas. It is up to all 100 of us to put a stop to this nonsensical procedure.

I have served in this body for 45 years. It is not often we face votes like this—votes that will leave a significant mark on history, and will shape our constitutional ability to serve as a check against presidents for generations to come. I pray the Senate is worthy of this responsibility, and of this moment. I fear the repercussions if it is not.

I will vote to hear from witnesses. With deep respect, I ask my fellow senators to do the same.

Mr. ENZI. Mr. President, I rise today to speak on the trial of President Trump.

After information from more than a dozen witnesses, over a hundred questions, and days of oral arguments, I believe the House failed to prove its case for the two Articles of Impeachment. The House’s story relies on too much speculation, guessing games and repetition to hold up any sort of credibility. The House claims to have proven its case, but insists on more evidence. It was the House’s responsibility to ensure it had developed a complete record of the evidence it needed to make its case, not to ask the Senate to start the process over again.

There were contradictions in the House’s case from the very beginning. The House counted on repetition to make its claims seem true, but often didn’t provide the underlying evidence. For example, the House managers relied on telephone records for timing, but speculated on the content of the calls.

The House managers claimed the President wanted to influence an election, but it is difficult to see how the President’s rush to bring this case in such a haphazard manner is nothing more than an attempt to influence the 2020 election. The House of Representatives continued as President Trump’s nominations were held up in an unprecedented way. This obstruction kept the new President from getting his key people in place. The few nominations approved had to work with career or hold-over staff from the previous administration. We have read in news articles that some of those staffers not only disliked their new bosses, but tried to actively undercut their policies. Sometimes they even delayed or used inaction or gave adverse advice. These types of tactics were used to put blame on their boss and on President Trump, and that ultimately hurt our country, too.

Again, almost immediately after the election, the House of Representatives continued to press the President as the 2020 election got closer. The volume and pitch increased even as the Special Counsel Robert Mueller. This investigation went on for almost 2 years. When the Mueller investigation didn’t yield the desired results, the focus shifted to the continuing cry for an impeachment. The volume and pitch increased even as the 2020 election got closer.

Eventually, the House of Representatives found its latest accusation. Yet, not willing to conduct a thorough impeachment investigation and wanting to reach a foregone conclusion as the election year approached, the House of Representatives hurried its investigation so it would be done before Christmas and Congress was forced to address these articles as a new year started. Ironically, after all that rushing and taking shortcuts, the House delayed sending the articles to the Senate until the new year. All of this was just the latest example of the efforts to block President Trump’s agenda.

I have now served in two Presidential impeachment trials, one during my first term and this one in my last. I have never underestimated the responsibility we bear. I have never forgotten the oaths I took to uphold the Constitution. There are few duties senators will face as grave as deciding the fate of the President of the United States, but just like 21 years ago, this decision is about country, not politics. These experiences have helped refine my views, which I will now share.

Our Forefathers did well setting the trial in the Senate where it takes a 2⁄3 majority, currently 67 votes, to convict. They could see the difficulty it would bring to the Nation if impeachment could easily be convicted by a slight majority. Even though it is not the law, I would counsel the House not to impeach without at least a 2⁄3 vote in their own body, and that should include some number from the minority party.

I have also come to believe that impeachment should be primarily about a criminal activity. Impeachment is inherently undemocratic because it reverses an election, so in election years, the bar for considering impeachment and removal goes even higher. Ultimately, the American people should and will have the final say.

The House of Representatives must also be sure to complete its investigation. It shouldn’t send the Senate impeachment charges and then expect the Senate to continue gathering more evidence. The House should subpoena witnesses and deal with defense claims such as privilege, even if that means going through the judicial process rather than placing such a burden on the Senate.

The House cannot simply rely on repetition of possibilities of violations, no matter how many times stated, to make their accusations true. A complete investigation means the investigators don’t rush to judgment, don’t speculate about the content of calls, and doesn’t rely on repetition of accusations about the content of such calls as a substitute for seeking the truth.

During the initial investigation, witnesses should have already been deposed by both sides before it comes to the Senate. President Trump’s counsel must be allowed to cross-examine any persons deposed by the House. Then, and only then, can any of the witnesses be called to testify at the Senate trial. The House investigation has to be complete.

Finally, I would call for our outside institutions to also think about how they contribute to the well-being of our country. I have often said that conflict sells. It might even increase sales to consumers of news for both parties, but I fear that we are all treating this like a sport, speculating which team will win and which will lose. I suspect that some venomous statements about this process have ended some friendships and strained some families. In the end, if we lose faith in our institutions, our friends and our families, we will all lose.

We desperately need more civility. That is simply being nice to each other. The Senate, the House, and the President’s counsel is inexcusable.” It violates the Golden Rule as revised by my mom, “Do what’s right. Do your best. Treat others as THEY wish to be treated.” One of the first movies I saw was the now-ancient animated picture, “Bambi.” I am reminded of the little rabbit saying, “My Mom always says, if you can’t say something nice, don’t say anything at all!” I believe we all agree on at least 80 percent of most issues, but the trend seems to be shifting to complete disagreement on the other 20 percent we don’t agree on. That 20 percent causes divisiveness, opposition, venomous harsh words, and anger.
Too often, it feels like our Nation is only becoming more divided, more hostile. I do not believe that our country will ever be able to successfully tackle our looming problems if we continue down this road. As we move forward from the match of our nation’s history, I hope that we will focus more on our shared goals that can help our Nation, and not the issues that drive us apart.

Mr. BURR. Mr. President, in my 25 years representing North Carolina in Congress, I have cast thousands of votes, each with its own significance. The ones that weigh most heavily are those that send our men and women in uniform into armed conflict. Those are the votes I spend the most time debating before casting—first and foremost because of the human cost involved but secondly because they hold the power to irrevocably set the course of American history.

With similar consideration, I have taken a sober and deliberate approach to the impeachment proceedings of the last few weeks, conscious of my constitutional responsibility to serve as an impartial juror.

As the investigative body, the House has charged President Trump with abuse of power and obstruction of Congress. The Senate’s role is to determine whether the House has proven its case beyond a reasonable doubt and whether, if true, these charges rise to the level of removing the President from office.

After listening to more than 70 hours of arguments from the House managers and the President’s counsel, I have concluded that the House has not provided the Senate with a compelling reason for taking the unprecedented and destabilizing step of removing the President from office.

In my role as chairman of the Senate Intelligence Committee, I have visited countries all over the world. What separates the United States from every other nation on Earth is our predictable, stable, and constitutional system of governance. Every 4 years, Americans cast their ballots with the confidence their vote will be counted and the knowledge that both winners and losers will abide by the results.

To remove a U.S. President from office, for the first time in history, on anything less than overwhelming evidence of “Treason, Bribery, or High Crimes and Misdemeanors” would effectively overturn the will of the American people.

As the Speaker said last year, “Impeachment is so divisive to the country that unless there’s something so compelling and overwhelming and bipartisan, I don’t think we should go down that path, because it divides the country.”

I believe the Speaker was correct in her assessment. A year later, however, the House went down that exact path, choosing to conduct a highly partisan impeachment inquiry, with underwhelming evidence, in a deeply flawed process.

The House had ample opportunity to pursue the answers to its inquiry in order to prove their case beyond a reasonable doubt. They chose not to do so. Instead, investigators followed an arbitrary, self-imposed timeline dictated by political, rather than substantive, concerns.

For example, the House did not attempt to compel certain witnesses to testify because doing so would have meant confronting issues of executive privilege—something every administration lays claim to—may have caused some level of delays and involved the courts.

At the time, the House justified their decision by claiming the issue was too important, too urgent, for any delays. Yet, after the House voted on the Articles of Impeachment, the Speaker waited 4 full weeks before transmitting the articles to the Senate. Those were weeks in which the House could have spent furthering its inquiry, had it not rushed the process. Instead, without a hint of irony, House leadership attempted to use that time to pressure the Senate into gathering the very witness testimony their own investigators chose not to pursue.

Additionally, in drafting the Articles of Impeachment, the House stated President Trump committed “Criminal bribery and obstruction of justice.” This sets the bar so low, the House created two crimes that carry penalties under our Criminal Code. Inexplicably, the House chose not to include those alleged criminal misdeeds in the articles sent to the Senate, much less argue them in front of this body.

At every turn, it appears the House made decisions not based on the pursuit of justice but on politics. When due process threatened to slow down the march forward, they took shortcuts. When evidence was too complicated to obtain or an accusation did not carry weight, the House created new, flimsy standards on the fly, hoping public pressure would sway Senate jurors.

The Founding Fathers who crafted our modern impeachment mechanism predicted this moment, and warned against a solely partisan and politically motivated process.

In Federalist 65, Alexander Hamilton wrote, “In many cases [impeachment] will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and connections. The one side will regard it as the occasion of gaining the other, and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.”

Hamilton believed impeachment was a necessary tool but one to be used when the evidence of wrongdoing was so overwhelming, it elevated the process above partisanship. The House has failed to meet that standard.

The Founders also warned against using impeachment as recourse for management or policy disagreements with the President.

Prior to America’s founding, impeachment had been used for centuries in England as a measure to reprimand crown-appointed officials and landed gentry. At the time, it included the charge of “maladministration,” as well.

During the Constitutional Convention in 1787, George Mason moved to add “maladministration” to the U.S. Constitution’s list of impeachable offenses, asking: “Why is the provision restrained to Treason & bribery only? Treason as defined in the Constitution will not reach many great and dangerous offences. Attempts to subvert the Constitution may not be treason as above defined.”

I submit for this body James Madison’s response: “So vague a term will be equivalent to a tenure during the pleasure of the Senate.”

Madison knew that impeachment based purely on disagreements about governance would turn the U.S. Congress into a parliamentary body, akin to those tumultuous coalitions in Europe, which could recall a President on little more than a whim. To do so would subordinate the Senate to the Congress, rather than delineating its role as a coequal branch of our Federal Government. And with political winds changing as frequently then as they do now, he saw that every President could theoretically be impeached on subjective and uncertain terms.

In a functioning democracy, the President cannot serve at “the pleasure of Senate.” He must serve at the pleasure of the people.

Gouverneur Morris supported Madison’s argument, adding at the time: “An election every four years will prevent maladministration.”

Thus “maladministration” was not made an impeachable offense in America expressly because it was the recourse of free and fair elections.

I bring up this story for two reasons. First, the Founder’s decision signals to me they felt strongly that an impeachable offense must be a crime akin to treason, bribery, or an act equally serious, as defined in the Criminal Code. Second, this story tells me the Founders believed anything that does not meet the Constitutional threshold should be navigated through the electoral process.

By that standard, I do not believe the Articles of Impeachment presented to the Senate rise to the level of removal from office, nor do I believe House managers succeeded in making the case incumbent upon them to prove. Given the weak underpinnings of the articles themselves and the House’s partisan process, it would be an error to remove the President mere months before a national election; therefore, I have concluded I will vote to acquit President Donald J. Trump on both articles of impeachment.

Ms. KLOBUCHAR. Mr. President, today is a somber day for our country.
As Senators, we are here as representatives of the American people. It is our duty, as we each swore to do when we took our oath of office, to support and defend the Constitution. We also took an oath, as judges and jurors in this proceeding, to "impart justice" as we consider the evidence— including the serious charge that the President of the United States leveraged the power of his office for his own personal gain.

Those are the oaths that the Framers set out for us in the Constitution, to guide the Senate in its oversight responsibilities. The Framers believed that the legislative branch was best positioned to provide a check on the Executive. They envisioned that the separation of powers would allow each branch of government to oversee the other. They also knew, based on their experience living under the British monarchy, that someday a President might corrupt the powers of the office. William Davidge, North Carolina, was particularly concerned that a President could abuse his office by sparring "no efforts or means whatever to get himself reelected."

So the Framers put in place a standard that would cover a range of Presidential misconduct, settling on: "Treason, Bribery, or other high Crimes and Misdemeanors." As Alexander Hamilton explained in Federalist 65, the phrase was intended to cover "abuse or violation of some public trust" and "injuries done immediately to society itself." The Framers designed a remedy for this public harm: removal from public office. So now we are here as judge and jury to try the case and to evaluate whether the President's acts have violated the public trust and injured our democracy.

I am concerned of course that the Senate has decided that we must make this decision without all the facts. With a 51 to 49 vote, the Senate blocked this decision without all the facts. I believe that history will remember that the majority in this body did not seek out the evidence and instead decided that the President's alleged corrupt acts did not even require a closer look.

But even without firsthand accounts and without primary documents, the House managers have presented a compelling case. I was particularly interested when the managers presented showing that the President's conduct put our national security at risk by jeopardizing our support for Ukraine. Protecting Ukraine's fragile democracy has been a bipartisan priority. I went to Ukraine with the late Senator John McCain and Senator Lindsey Graham right after the 2016 election to make clear that the United States would continue to support our ally Ukraine in the face of Russian aggression—that we will stand up for democracy. As the House managers stressed, it is in our national security interest to strengthen Ukraine's democracy. The United States has 60,000 troops stationed in Europe, and thousands of Ukrainians have died fighting Russian forces and their proxies.

Our Nation's support for Ukraine is critically needed. Ukraine is at the frontline of Russian aggression, and since the Russians invaded Crimea in 2014, the United States has provided over $1.5 billion in aid. Russia is watching everything we do. So this summer, as a new Ukrainian President prepared to lead his country and address the war with Russia, it was critical that President Trump showed the world that we stand with Ukraine. Instead, President Trump decided to withhold military security assistance and to deny the Ukrainian President an Oval Office meeting. In doing so, he jeopardized our national security interests and put the Ukrainians in danger. But worse yet, he did so to benefit himself.

Testimony from the 17 current and former officials from the President's administration made it clear that the President leveraged the power of his office to pressure Ukraine to announce an investigation into his political rival. These brave public servants defied the President's order and agreed to testify about what happened despite the risks to their careers. Former U.S. Ambassador to Ukraine Marie Yovanovitch showed particular courage, testifying before the House even as the President disparaged her on Twitter. And I will never forget when Lieutenant Colonel Vindman testified and sent a message to his immigrant father, saying, "Don't worry Dad, I will be fine for telling the truth."

As Manager Schiff put it, "in our country "right matters." What is right and wrong under our Constitution does not turn on whether or not you like the President. It is not about whether the President's or Congress's policies that you agree or disagree with. It is about whether it remains true that in our country, right matters. Through his actions, the President compromised the security of our ally, Ukraine, invited document interference in our elections, and undermined the integrity of our democratic process—conduct that I believe the Framers would see as an abuse of power and violation of his oath of office.

The Articles of Impeachment include a second charge that the President used the powers of his office to prevent Congress from investigating his actions and attempted to place himself above the law.

Unlike any President before him, President Trump categorically refused to comply with any requests from Congress. Even President Nixon refused "all the president's men" to comply with congressional requests. Despite that history, President Trump directed every member of his administration not to comply with requests to testify and also directed the executive branch not to release a single document. The President's refusal to respect the Constitution's authority is a direct threat to the separation of powers. The Constitution gives the House the "sole power of impeachment," a tool of last resort to provide a check on the President. By refusing to cooperate, the President is attempting to erase the Congress's constitutional power and to prevent the American people from learning of his misconduct. As we discussed during our opening arguments, the President is asserting that his aides have absolute immunity, a proposition that Federal courts have consistently rejected. Manager Demings warned, "absolute power corrupts absolutely." But this President had taken many steps to place himself above the law. This administration has taken the position that a sitting President cannot be indicted or prosecuted. This President has argued that the President's conduct put our national security at risk by jeopardizing our support for Ukraine in the face of Russian aggression, and that it is in our national security interest to strengthen Ukraine's democracy. The United States has 60,000 troops stationed in Europe, and thousands of Ukrainians have died fighting Russian forces and their proxies.

Our Nation's support for Ukraine is critically needed. Ukraine is at the frontline of Russian aggression, and the United States has provided over $1.5 billion in aid. Russia is watching everything we do. So this summer, as a new Ukrainian President prepared to lead his country and address the war with Russia, it was critical that President Trump showed the world that we stand with Ukraine. Instead, President Trump decided to withhold military security assistance and to deny the Ukrainian President an Oval Office meeting. In doing so, he jeopardized our national security interests and put the Ukrainians in danger. But worse yet, he did so to benefit himself. Testimony from the 17 current and former officials from the President's administration made it clear that the President leveraged the power of his office to pressure Ukraine to announce an investigation into his political rival. These brave public servants defied the President's order and agreed to testify about what happened despite the risks to their careers. Former U.S. Ambassador to Ukraine Marie Yovanovitch showed particular courage, testifying before the House even as the President disparaged her on Twitter. And I will never forget when Lieutenant Colonel Vindman testified and sent a message to his immigrant father, saying, "Don't worry Dad, I will be fine for telling the truth."

During the trial, we have heard this directly from the President's defense. In the words of Alan Dershowitz, "If a President does something which he believes will help him get elected—in the public interest—that cannot be the kind of quid pro quo that results in impeachment." These echo the words of...
an impeached President, Richard Nixon, who said: "When the president does it, that means it is not illegal." We cannot accept that conclusion. In this country the President is not King, the law is King. But if the Senate looks past the President’s defiance of Congress, we will forever undermine our status as a coequal branch and undermine the rule of law.

So as we consider these Articles of Impeachment, I ask my colleagues to think about our responsibility. Our system, designed by the Framers 232 years ago, is one not of absolute power but of power through and by the people. We are, in some ways, faced with the same question the Founders faced when they made the fateful decision to challenge the unchecked power of a King.

When signing the Declaration of Independence, John Hancock signed his name large and said, "There must be no pulling different ways. We must all hang together." Benjamin Franklin replied, "That, if they are hung together, or most assuredly we shall all hang separately."

We have the opportunity today to stand together and say that the Constitution, that these United States, are stronger than our enemies, foreign and domestic, and we, together, are stronger than a President who would corrupt our democracy with an abuse of power and an attempt to deny the rights of a coequal branch of government. We do not have to agree on everything now, tomorrow, or a year from now, but surely we can agree on the same basic principles: that this is a government of laws, not of men-and women; that in this country, no one is above the law.

If we can agree on that much, then I submit to my colleagues that the choice before us is clear.

Mr. SANDERS. Mr. President, an impeachment trial of a sitting President of the United States is not a matter to be taken lightly. A President should not and must not be impeached because of political disagreements or policy differences. That is what elections are for. Instead, an impeachment trial occurs when a President violates the oath he or she swore to uphold the Constitution of the United States.

Therefore, there are two questions for me to answer as a juror in the impeachment trial of President Donald J. Trump. Whether President Trump is guilty of his actions for his own political gain and whether he obstructed Congress in their investigation of him.

The first Article of Impeachment charges President Trump with abuse of power when he "solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election." Based on the evidence I heard during the Senate trial, Trump "corruptly solicited" an investigation into former Vice President Joe Biden and his son in order to benefit his own reelection chances. To increase the pressure on Ukraine, President Trump then withheld approximately $400 million in military aid from Ukraine. Finally, according to the charges, even when Trump’s scheme to withhold aid was made public, he "persisted in openly and corruptly urging and soliciting Ukraine to undertake his personal political benefit." So on this first Article of Impeachment, it is my view that the President is clearly guilty.

The second Article of Impeachment asserts that Trump obstructed Congress in its investigation of Trump’s abuse of power, stating that Trump "has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its sole Power of Impeachment." According to the warped logic of the arguments presented by the President’s counsel, there are almost no legal bounds to anything a President can do so long as it benefits his own reelection. If a President can be investigated criminally or by Congress while in office, then he or she would be effectively above the law. President Trump, who raised absurd legal arguments to hide his actions and obstruct Congress, is clearly guilty of that.

Now, frankly, while the House of Representatives passed two Articles of Impeachment, President Trump could have been impeached for more than just that.

For example, it seems clear that Donald Trump has violated both the domestic and foreign emoluments clauses. In other words, it appears Trump has used the Federal Government and over and over to benefit himself financially.

In 2018 alone, Trump’s organization made over $40 million in profit just from his Trump hotel in DC alone. And foreign governments, including lobbying firms connected to the Saudi Arabian Government, have spent hundreds of thousands of dollars at that hotel. That appears to be corruption, pure and simple.

In addition, we all know, there is significant evidence that Donald Trump committed obstruction of justice with regard to the Robert Mueller investigation by, among other actions, firing the FBI Director, James Comey. One of the duties of dealing with President Trump and his administration is that we cannot trust his words. He is a pathological liar who, according to media research, has lied thousands of times since he was elected. During the trial, I posed a question to the House impeachment managers: Given that the media has documented President Trump’s thousands of lies while in office—more than 16,200 as of January 20, 2020—why would we be expected to believe that anything President Trump says has credibility? The answer is that, sadly, we cannot.

Sadly, we now have a President who sees himself as above the law and is either ignorant or indifferent to the Constitution. And we have a President who clearly committed impeachable offenses.

The evidence of Trump’s guilt is so overwhelming that the Republican Party, for the first time in the history of Presidential impeachment, obstructed testimony from witnesses—even willing witnesses. It defies basic common sense that in a trial to determine whether the President is above the law, the Senate would not hear from the people who could speak directly to President Trump’s behavior and motive. Leader Mitch McConnell’s handling of this trial, unfortunately, was nothing more than a political act.

Yet this impeachment trial is about more than just the charges against President Trump. What this impeachment vote will decide is whether we believe that the President, any President, is above the law.

Last week, Alan Dershowitz, one of President Trump’s lawyers, argued to the Senate that a President cannot be impeached for any actions he or she may take to further their own reelection. That is truly an extraordinary and unconstitutional assertion. If Trump is acquitted, I fear the repercussions of this argument would do grave damage to the rule of law in our country.

Imagine what such a precedent would allow an incumbent president to get away with for the sake of their own reelection. Hacking an opponent’s email using government resources? Soliciting election interference from China? Under this argument, what would stop a President from withholding infrastructure or education funding to a given State to pressure elected officials into helping the President politically?

Let me be clear: Republicans will set a dangerous and lawless precedent if they vote to acquit President Trump. A Republican acquittal of Donald Trump won’t just mean that the current President is above the law; it will give a green light to all future Presidents to disregard the law so long as it benefits their reelection.

It gives me no pleasure to conclude that President Donald Trump is guilty of the offenses laid out in the two Articles of Impeachment. I will vote to convict on both counts. But my greater concern is if Republicans acquit President Trump by undercutting the very rule of law. That will truly be remembered as a sad and dangerous moment in the history of our country.

Mr. TOOMEY. Mr. President, I rise to speak about the House Articles of Impeachment against President Donald Trump.

In 1999, then-Senator Joe Biden of Delaware asked the following question during the impeachment trial of President Bill Clinton: "[D]o these actions rise to the level of high crimes and misdemeanors necessary to justify the most obviously antidemocratic act the Senate can engage in—overturning an elected President?"

He answered his own question by voting against removing President Clinton from office.
It is this constitutionally grounded framework—articulated well by Vice President Biden—that guided my review of President Trump’s impeachment and, ultimately, my decision to oppose his removal.

House Democrats’ impeachment articles allege that President Trump briefly paused aid and withheld a White House meeting with Ukraine’s President to pressure Ukraine into investigating two publicly reported corruption crises. The first matter was suspicious Ukrainian interference in the 2016 election. The second was Vice President Biden’s role in firing the controversial Ukrainian prosecutor investigating a company on whose board Vice President Biden’s son sat. When House Democrats demanded witnesses and documents concerning the President’s conduct, he invoked constitutional rights and resisted their demands.

The President’s actions were not “view.” Some were inappropriate. But the question before the Senate is not whether his actions were perfect; it is whether they constitute impeachable offenses that justify removing a sitting President from office for the first time and forbidding him from seeking office again.

Let’s consider the case against President Trump: obstruction of Congress and abuse of power. On obstruction, House Democrats allege the President lacked “lawful cause or excuse” to resist their subpoenas. This ignores that his resistance was based on constitutionally grounded legal defenses and immunities that are consistent with longstanding positions taken by administrations of both parties. Instead of negotiating a resolution or litigating in court, House Democrats rushed to impeach. But as House Democrats noted during President Clinton’s impeachment, a President’s defenses of his legal and constitutional rights and responsibilities is not an impeachable offense.

House Democrats separately allege President Trump abused his power by conditioning a White House meeting and the release of aid on Ukraine agreeing to pursue corruption investigations. Their case rests entirely on the faulty claim that the only possible motive for his actions was his personal political gain. In fact, there are legitimate interests for turning investigations into apparent corruption, especially when taxpayer dollars are involved.

Here is what ultimately occurred: President Trump met with Ukraine’s President, and the aid was released after a brief pause. These actions happened without Ukraine announcing or conducting investigations. The idea that President Trump committed an impeachable offense by meeting with Ukraine’s President at the United Nations or offering a White House meeting in Washington, DC is absurd. Moreover, the pause in aid did not hinder Ukraine’s ability to combat Russia. In fact, as witnesses in the House impeachment proceedings stated, U.S. policy in support of Ukraine is stronger under President Trump than under President Obama.

Even if House Democrats’ presumptions about President Trump’s motives are true, additional witnesses in the Senate, beyond the 17 witnesses who testified in the House impeachment proceedings, are unnecessary because the President’s actions do not rise to the level of removing him from office, nor does it create a formal upheaval that would result from his removal from office and the ballot months before an election. Our country is already far too divided and this would only make matters worse.

As Vice President Biden also stated during President Clinton’s impeachment trial, “[t]here is no question the Constitution sets the bar for impeachment very high.” A President can only be impeached and removed for “Treason, Bribery, or other high Crimes and Misdemeanors.” While there is debate about the precise meaning of “other high Crimes and Misdemeanors,” it is clear that impeachable conduct must be comparable to the serious offenses of treason and bribery.

The Constitution sets the impeachment bar so high for good reasons. Removing a President from office and forbidding him from seeking future office overturns the results of the last election and strips the American people of their right to vote for him in the next one. The Senate’s impeachment power essentially allows 67 Senators to substitute their judgment for the judgment of millions of Americans.

The framework Vice President Biden articulated in 1999 for judging an impeachment was right then, and it is right now. President Trump’s conduct does not meet the very high bar required to justify overturning the election and kicking him off the ballot in an election that has already begun. In November, the American people will decide for themselves whether President Trump should stay in office. In our democratic system, that is the way it should be.

Mr. RUBIO. Mr. President, voting to find the President guilty in the Senate is not simply a finding of wrongdoing; it is a vote to remove a President from office for the first time in the 200-year history of our country.

When they decided to include impeachment in the Constitution, the Framers understood how disruptive and traumatic it would be. As Alexander Hamilton warned, impeachment will “agitate the passions of the whole community.” This is why they decided to require the support of two-thirds of the Senate to remove a President we serve as a guardrail against partisan impeachment and against removal of a President without broad public support.

Leaders in both parties previously recognized that impeachment must be bipartisan and must enjoy broad public support. In fact, as recently as March of last year, Manager ADAM SCHIFF said there would be “little to be gained by putting the country through” the “wrenching experience” of a partisan impeachment. Yet, only five months later a partisan impeachment is exactly what the House produced. This meant two Articles of Impeachment whose true purpose was not to protect the Nation but, rather, to, as Speaker NANCY PELOSI said, stain the President’s name forever and “they can never erase that.”

It now falls upon this Senate to take up what the House produced and faithfully execute our duties under the Constitution of the United States.

Why does impeachment exist? As manager JERRY NADLER reminded us last week, removal is not a punishment for a crime, nor is removal supposed to be a way to hold Presidents accountable. That is not what impeachment is for. The sole purpose of this extraordinary power to remove the one person entrusted with all of the powers of an entire branch of government is to provide a last-resort remedy to protect the American people. That is why Hamilton wrote that in these trials our decisions should be pursuing “the public good.”

Even before the trial, I announced that, for me, the question would not just be whether the President’s actions were true, but whether his actions were removable. The two are not the same. It is possible for an offense to meet a standard of impeachment and yet not be in the best interest of the country to remove a President from office.

To answer this question, the first step was to ask whether it would serve the public good to remove the President, even if the managers had proven every allegation made in article I, because, as Manager SCHIFF admitted, they did not want to go through a year-long exercise to get the information they wanted. Ironically, they now demand that the Senate go through this very long exercise they themselves decided to avoid.

On the first Article of Impeachment, I reject the argument that abuse of power can never constitute grounds for removal unless it is a crime. If that were true, there could never be an impeachment action alleged. However, even if the House managers had been able to prove every allegation made in article I,
Just last year, Speaker PELOSI said that any impeachment "would have to be so clearly bipartisan in terms of acceptance of it." And in 1998, Representative NADLER, currently a House impeachment manager, said, "There must not be, or appear to be, an impeachment substantially supported by one of our major political parties and largely opposed by the other . . . . Such an impeachment would lack legitimacy, would produce divisiveness and bitterness in our politics for years to come . . . . And I thought that at least half of the country would view his removal as illegitimate—as nothing short of a coup d'etat? It is difficult to conceive of any scheme Putin could undertake that would undermine confidence in our democracy more than removal would.

I also reject the argument that unless we call new witnesses, this is not a fair trial. First, they cannot argue that fairness demands we seek witnesses they did little to pursue. Second, even if new witnesses would testify to the truth of the allegations made, these allegations, even if they had been able to prove them, would not warrant the President's removal.

This high bar I have set is not new for me. In 2014, I rejected calls to pursue impeachment of President Obama, noting that he "has two years left in his term," and, instead of pursuing impeachment, we should use existing tools at our disposal to "limit the amount of damage he's doing to our economy and our national security."

Senator PATRICK LEAHY, the President pro tempore emeritus, once warned, "[A] partisan impeachment cannot command the respect of the American people. It is no more valid than a stolen election." His words are more true today than when he said them two decades ago. We should heed his advice.

I will not vote to remove the President because doing so would set us on the dangerous path of a purely political process and would pose a huge risk to our democracy that lacked due process and sought to impose a duty on the Senate to repair the House's flawed product. Caving to House managers' demands would have set a dangerous precedent and dramatically altered the constitutional order, further weaponizing impeachment and encouraging more of them.

Now that the trial is over, I sincerely hope everyone involved has renewed appreciation for the genius of our Founding Fathers and for the separation of powers they incorporated into the U.S. Constitution. I also hope all the players in this national travesty go forward with a greater sense of humility and recognition of the limits the Constitution places on their respective offices.

I am concerned about the divisiveness and bitterness that Chairman NADLER warned us about. We are a divided nation, and it often seems the lines are only hardening and growing farther apart. But hope lies in finding what binds us together—our love of freedom, our faith, our families.

We serve those who elect us. It is appropriate and necessary to engage in discussion and debate to sway public opinion, but in the end, it is essential that we rely upon, respect, and accept the public's electoral decisions.

In addition, I ask unanimous consent that my November 18, 2019, letter to Speaker PELOSI and Chairman NADLER, and the January 22, 2020, Real Clear Investigations article written by Paul Sperry be printed in the RECORD following my remarks.

The November 18, 2019, letter responds to NUNES' and JORDAN's request to provide information regarding my firsthand knowledge of events regarding Ukraine that were relevant to the impeachment inquiry. The January 22, 2020, article was referenced in my question to the House managers and counsel to the President during the 16-hour question and answer phase of the impeachment trial. Specifically, that question asked: "Recent reporting described two NSC staff holders from the Obama administration attending thinkers' meetings and held about two weeks into the Trump administration and talking loudly enough to be overheard saying, 'we need to do everything we can to take out the president.' On July 20, 2019, the House Intelligence Committee hired one of those individuals, Sean Misko. The report further describes relationships between Misko, Lt. Col. Vindman, and the alleged whistle-blower. Why did your committee hire a phone call between Presidents Trump and Zelensky, and what role has he played throughout your committee's investigation?"

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. JIM JORDAN, Ranking Member, Committee on Oversight and Reform, House Devin Nunes, Ranking Member, Permanent Select Committee on Intelligence.

Dear CONGRESSMAN JORDAN AND CONGRESSMAN NUNES: I am writing in response to the request of Ranking Members Nunes and Jordan to provide my first-hand information and resulting perspective on events relevant to the House impeachment inquiry of President Trump. It is being written in the middle of that inquiry—after most of the deposits have been given behind closed doors, but before all the public hearings have been held.

I view this impeachment inquiry as a continuation of a concerted, coordinated, and well-coordinated, effort to sabotage the Trump administration that probably began in earnest the day after the 2016 presidential election. The latest evidence of this comes with the reporting of a Jan. 30, 2017 tweet (10 days after Trump's inauguration) by one of the whistle-blower's attorneys, Mark Zaid: "#coup has started. #Trump a billion. #impeachment will follow ultimately.

But even prior to the 2016 election, the FBI's investigation and exoneration of former Secretary of State Hillary Clinton, combined with Fusion GPS' solicitation and dissemination of the Steele dossier—and the FBI's counterintelligence investigation based on that dossier's network for future sabotage. As a result, my first-hand knowledge and involvement in this
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gigation repeatedly stressed the importance of that of the U.S. Congress for Zelensky and demonstrate and express my support and advisers.

resenting the National Security Council. I and Lt. Col. Alexander Vindman, rep-

a result, I was the only member of Congress scheduling challenge for members of Con-

short notice, which made attending it a

The Obama administration never supplied $300 million of security assistance to

There was also universal recognition and revolution of Dignity, and Russia's illegal annex-

Chris Murphy to meet with Zelensky and May 20, and again on Sept. 5 with U.S. Sen.

Volodymyr Zelensky's inauguration held on

Ukraine starting in April 2011. Most re-

It is from this viewpoint that I report my specific involvement in the events related to Ukraine. I

I also am chairman of the Subcommittee on Europe and Regional Security Coopera-

tion of the Senate Foreign Relations Committee. I have made six separate trips to Ukraine

The main purpose of my attendance was to

President Zelensky was impressed with Zelensky, under-

made apparent in March 2015, HSGAC initiated an oversight in-

Although many questions remain unan-

ersing: I am aware that Sondland has testified

The opening of the Russian military action against Ukraine's

The Obama administration never supplied

media that created the false narrative of Trump campaign collusion with Russia all fit

In 2015, Congress overwhelmingly authorized $300 million of security assistance to

The Obama administration never supplied the authorized defensive weaponry, but President Trump did.

Zelensky won a strong mandate—73%—from the Ukrainian public to fight corruption. The inauguration date was set on the short notice, which made attending it a scheduling challenge for members of Congress who wanted to go to show support. As a result, I was a member of the four-person delegation joining the executive branch's inaugural delegation led by Energy Secretary Rick Perry, Special Envoy Kurt Volker, U.S. Ambassador to the European Union Gordon Sondland, and Lt. Col. Alexander Vindman, representing the National Security Council. I arrived the evening before the inauguration and, after attending a counter briefing provided by U.S. embassy staff the next morning, May 20, went to the inauguration, a luncheon following the inauguration, and a delegation meeting with Zelensky and his advisers.

The main purpose of my attendance was to demonstrate and express my support and that of the U.S. Congress for Zelensky and the people of Ukraine. In addition, the delegation repeatedly stressed the importance of fulfilling the election mandate to fight corruption, and also discussed the priority of Ukraine obtaining sufficient inventories of gas prior to winter.

Two specific goals were to obtain a commitment from President Trump to invite Zelensky to the Oval Office and the formation of a U.S. ambassador to Ukraine who would have strong bipartisan support, and to have President Trump publicly voice his support.

At the suggestion of Sondland, the delegation (Perry, Volker, Sondland and me) proposed a meeting with President Trump in the Oval Office. The purpose of the meeting was to inform the president at the inauguration, and convey our impressions of Zelensky and the current political situation in Ukraine, which uniformly was impressed with Zelensky, understood the difficult challenges he faced, and went into the meeting hoping to obtain a commitment from President Trump for a meeting with Zelensky and the people of Ukraine. Our specific goals were to obtain a commitment from President Trump to invite Zelensky to the Oval Office and the formation of a U.S. ambassador to Ukraine who would have strong bipartisan support, and to have President Trump publicly voice his support.

He expressed strong reservations about supporting Ukraine. He made crystal clear that he viewed Ukraine as a corrupt country both generally and, specifically, regarding rumored meddling in the 2016 election. He also summed up this attitude in his testimony that Zelensky was a president saying, "They are all corrupt. They are all terrible people....I don't want to spend any time with that." I do not recall President Trump ever explicitly mentioning the names Burisma or Biden, but it was obvious he was aware of rumors that corrupt ac-

ting with Russia. My blunt response was, "How in the world is that even possible?" They react by leaking to the press and participating in the ongoing effort to sabotage his policies and, if possible, to remove him. It is entirely possible that Vindman fits this profile.

They should not seek to undermine the pol-

The Obama administration never supplied the authorized defensive weaponry, but President Trump did.

Zelensky was appointed Bohdan as his chief of staff. This was not viewed as good news, but

One final point regarding the May 23 meeting: I am aware that Sondland has testified that President Trump also directed the delegation to work with Rudy Giuliani. I have no recollection of the delegation working with him during the meeting. It is entirely possible he did, but because I do not work for the presi-

dent, I did not know about it.

I continued to meet in my Senate office with representatives from Ukraine: on June
I3 with members of the Ukrainian Parliament’s Foreign Affairs Committee; on July 11 with Ukraine’s ambassador to the U.S. and secretary of Ukraine’s National Security Council, Volker, and on August 28 with Ukraine’s ambassador to the U.S., Valeriy Chaly; and on July 11 with President Trump. With a smile on his face, he replied, “But Senator Johnson, you don’t realize how beautiful my Ukrainian is.” I jokingly conceded the point by saying I was not able to distinguish his Ukrainian from his Russian.

This was a very open, frank, and supportive discussion. There was no reason for

President Trump to react to you the same way he reacted to the delegation’s request for support for Ukraine.

I told the group that President Trump explicitly told the delegation that he wanted to make sure Zelensky knew exactly how he felt about Ukraine before any meeting took place. To repeat Volker’s quote of President Trump: “They say in Russia that they are all terrible people. . . . I don’t want to spend any time with that.” That was the general attitude toward Ukraine that I felt President Trump directed us to convey. Since I did not say Volker’s quote in full, I tried to portray that strongly held attitude and reiterated the reasons President Trump consistently gave me for his reservations regarding Ukraine: endemic corruption and inadequate European support.

I also conveyed the counterarguments I used (unsuccessfully) to persuade the president to lift his hold: (1) We would be supporting the people of Ukraine, not corrupt officials; (2) withholding military support was not politically smart. Although I recognized how this next point would be problematic, I also suggested any public statement Zelensky could make asking for greater support from Europe would probably be viewed favorably by President Trump.

Finally, I commented on how excellent Zelensky’s English was and encouraged him to translate his speech into English as a future meeting with President Trump. With a smile on his face, he replied, “But Senator Johnson, you don’t realize how beautiful my Ukrainian is.” I jokingly conceded the point by saying I was not able to distinguish his Ukrainian from his Russian.

As much as Zelensky was concerned about losing the military aid, he was even more concerned about the signal that would send. I shared his concern. I suggested that in our public statements we first emphasize the universal support that the U.S. Congress has always shown for our partners in Ukraine. Second, we should minimize the significance of the hold on military aid as simply a timing issue coming a few weeks before the end of our federal fiscal year and that the President’s deficit hawks within his administration decided not to obligate funding for the current fiscal year, Congress would make sure he had no option in the next fiscal year unless they cut military funding by the same amount. I also made the point that Murphy was on the Appropriations Committee and could lead the charge on funding.

Murphy made the additional point that one of the most valuable assets Ukraine possesses is bipartisan congressional support. He warned Zelensky not to respond to requests from American political actors or he would risk losing Ukraine’s bipartisan support. I did not comment on this issue that Murphy raised.

Instead, I began discussing a possible meeting with President Trump. I viewed a meeting between the two presidents as crucial for overcoming President Trump’s skepticism of Ukraine’s current administration and securing full U.S. support. It was at this point that President Trump’s May 23 directive came into play.

I prefaced my comment to Zelensky by saying, “Let me go out on a limb here. Are you or any of your advisors aware of the inaugural delegation’s May 23 meeting in the Oval Office following your inauguration?” No one admitted they were, so I pressed on. “Is it true that Donald Trump pointedly said that I don’t want you caught off-guard if President Trump reacts to you the same way he reacted to the delegation’s request for support for Ukraine.”

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This was a very open, frank, and supportive discussion. There was no reason for
anyone on either side not to be completely honest or to withhold any concerns. At no time during this meeting—or any other meeting on this trip—was there any mention by Ukrainian officials or the Ukrainian press outside the presidential office building. Our primary message was that we were in Kyiv to demonstrate our strong bipartisan support for the people of Ukraine. We were very encouraged by our meetings with Zelensky and other members of his new government in their commitment to fulfill their electoral mandate to fight and defeat corruption. When the issue of military support was raised, I provided the response I suggested above: I described it as a timing issue at the end of a fiscal year and said that, regardless of what decision President Trump made on the fiscal year 2019 funding, I was confident Congress would restore the funding in fiscal year 2020. In other words: Don’t mistake a budget issue for a change in America’s strong support for the people of Ukraine.

Congress came back into session on Sept. 9. During a vote early in the week, I approached one of the co-chairs of the Senate Ukraine Caucus, U.S. Sen. Richard Durbin. I briefly described our trip to Ukraine and the concerns Zelensky and his advisers had over the hold on military support. According to press reports, Senator Durbin stated that it was the first time he was made aware of the hold. I went on to describe how I tried to minimize the impact of that hold by assuring Ukrainians that Congress could restore the funding in fiscal year 2020. I encouraged Durbin, as I had encouraged Murphy, to use his membership on the Senate Appropriations Committee to restore the funding.

Also according to a press report, leading up to a Sept. 12 defense appropriation committee markup, Durbin offered an amendment to restore funding. On Sept. 11, the administration announced that the hold had been lifted. I think it is important to note the hold was restored 14 days after my complaint became publically known, and 55 days after the hold apparently had been placed.

On Aug. 31, I saw news reports of text messages that Volker had supplied the House of Representatives as part of his testimony. The texts discussed a possible press release that might issue to help persuade President Trump to offer an Oval Office meeting. Up to that point, I had publicly disclosed only the first part of my Aug. 31 phone call with President Trump, where I joked about his release of military aid to Ukraine. With the disclosure of the Volker texts, I felt it was important to go on the record with the new part of my Aug. 31 call with Trump: his decision I had not previously disclosed because I could not precisely recall what Sondland had told me on Aug. 30, and what I had conveyed to President Trump in the midst of the hold. I was concerned that if the hold on military aid would take before military aid would be released. To the best of my recollection, the action Ukrainians were seeking was something of a push button action to help fight and defeat corruption.

I called Hughes Friday morning, Oct. 4, to update my interview. It was a relatively lengthy interview, almost 30 minutes, as I attempted to put a rather complex set of events into context. Toward the tail end of that interview, Hughes said, “It almost sounds to me that Trump was kind of freelancing and he took it upon himself to do something that the president hadn’t exactly blessed, as you see it.” I responded that “I don’t know if I want to know that. Let’s face it: The president can’t have his fingers in everything. He can’t be stage-managing everything, so you have members of his administration trying to create good policy.”

To my knowledge, most members of the administration were not dealing with the issues involving Ukraine disagreed with President Trump’s attitude and approach toward Ukraine. Many who had the opportunity to influence the president attempted to change his mind. I see nothing wrong with U.S. officials working with Ukrainian officials to demonstrate Ukraine’s commitment to reform in order to change President Trump’s attitude and gain his support.

Nor is it wrong for administration staff to use their powers of persuasion within their chain of command to influence policy. What is wrong is for people who work for, and at the pleasure of, the president to believe they have the power to make decisions or the duty to replace or remove a duly elected president doing so. It would also be wrong for those individuals to step outside their chain of command—or established whistleblower procedures—to influence the president’s policy. If those working for the president don’t feel they can implement the president’s policies in good conscience, they should not feel compelled to do so and resign. If they choose to do so, they can then take their disagreements to the public. That would be the proper and high-integrity course of action.

This impeachment effort has done a great deal of damage to our democracy. The release of transcripts of discussions between the president of the United States and another world leader sets a terrible precedent that will deter and limit candid conversations between the president and world leaders from now on. The weakening of executive privilege will also limit the extent to which presidential advisers will feel comfortable providing “our talking points” and other frank counsel in the future.

In my role as chair of the Senate’s primary oversight committee, I strongly believe in the importance of strong protections. But in that role, I am also aware that not all whistleblowers are created equal. Not every whistleblower has purely altruistic motives. Some have personal axes to grind against a superior or co-workers. Others might have a political ax to grind.

The Intelligence Community Inspector General acknowledges the whistleblower in this instance exhibits some measure of an “arguable political bias.” The whistleblower is a selection of personal friends and confidants based on that complaint as a top investigating counterintelligence officer in a complaint against Trump filed under whistleblower laws. Misko then helped run the impeachment inquiry based on that complaint as a top investigator for congressional Democrats.

Sources told RealClearInvestigations the whistleblower who has been officially identified only as an intelligence officer in a complaint against Trump filed under whistleblower laws. Misko then helped run the impeachment inquiry based on that complaint as a top investigator for congressional Democrats. Misko worked as an investigator for congressional Democrats last month on a party-line vote in the House of Representatives. Schiff and other House impeachment managers said that Misko was offered “guidance” to the whistleblower, who has been officially identified only as an intelligence officer in a complaint against Trump filed under whistleblower laws. Misko then helped run the impeachment inquiry based on that complaint as a top investigator for congressional Democrats.

The coordination between the official believed to be the whistleblower and a key Democratic staffer, details of which are disclosed here for the first time, underscores the narrative that impeachment developed spontaneously out of the “patriotism” of an “apolitical civil servant.”

Two former co-workers said the over-heardeering of Ciaramella and Misko was part of a strategy by Democrats held over from the Obama administration, discussing how to “take out,” or remove, the new president from office. One of Trump’s co-workers said the president’s controversial Ukraine phone call in July 2019 provided the
pretext they and their Democratic allies had been looking for.

"They didn’t like his policies," another former White House official said. "They had a political vendetta against him from Day One."

Their efforts were part of a larger pattern of coordination to build a case for impeachment, which included publicizing the conspiracy theories as anti-Trump figures both inside and outside of government.

All of the sources for this article spoke only on condition that they not be further identified or described. Although strong evidence points to Ciaramella as the government whistleblower, he has not been officially identified as such. As a result, this article makes a distinction between public information and unnamed whistleblowers:CIA analyst and specific information about Ciaramella.

Democrats based their impeachment case on the whistleblower complaint, which alleges that President Trump sought to help his re-election campaign by demanding that Ukraine’s leader investigate former Vice President Joe Biden and his son Hunter in exchange for military aid. Yet Schiff, who heads the House Intelligence Committee, and other Democrats have insisted on keeping the identity of the whistleblower secret, deeming concern for his safety, while arguing that his testimony no longer matters because other witnesses and documents have “corroborated” what he alleged in his complaint about the Ukraine call.

Republicans have fought unsuccessfully to call him as a witness, arguing that his motivations and associations are relevant—and that the president has the same due-process right to confront his accuser as any other American.

The whistleblower’s candor is also being called into question. It turns out that the CIA operative failed to report his contacts with Schiff’s office to the intelligence community’s inspector general who fielded his whistleblower complaint. He withheld the information both in interviews with the inspector general, Michael Atkinson, and in writing, according to impeachment committee investigators. The whistleblower form he filled out required him to disclose whether he had contact with other officials, including “members of Congress.” But he left that section blank on the disclosure form he signed.

The investigators say that details about how the whistleblower consulted with Schiff’s staff and perhaps misled Atkinson about those interactions are contained in the transcript of a closed-door briefing Atkinson gave to the House Intelligence Committee last October. However, Schiff has sealed the transcript from public view. It is the only impeachment document that has not been released.

Schiff has classified the document “Secret,” preventing Republicans who attended the briefing from quoting it. Even impeachment investigators cannot view it outside a highly secured room, known as a “SCIF.” In the basement of the Capitol, each first gets permission from Schiff, and they are forbidden from bringing phones into the SCIF or from taking notes from their interview.

While the identity of the whistleblower remains unconfirmed, at least officially, Trump recently retweeted a message naming Ciaramella, while Republican Senator Paul and Rep. Louie Gohmert of the House Judiciary Committee have publicly demanded that Ciaramella testify about his role in the impeachment.

During last year’s closed-door House depositions of impeachment witnesses, Ciaramella’s name was invoked in heated discussions about the whistleblower, as RealClearInvestigations first reported Oct. 30, and has appeared in at least one testimony. Trump’s personal lawyer Rudy Giuliani, however, sent a “cease and desist” letter to the White House demanding Trump and his “surrogates” stop “attacking” him.

“Neither the whistleblower nor Misko could be reached for comment. A CIA alumnus, Misko had previously served on Biden’s National Security Council. According to a former aide to Jake Sullivan. Former NSC staffers said Misko was Ciaramella’s closest, and most trusted ally in the Trump White House.

The February 2017 incident wasn’t the only time Ciaramella exhibited concern toward the president. During the following months, both were accused internally of leaking negative information about Trump to the media, with Trump’s personal lawyer demanding that he be removed from position—somehow over the conduct of the National Security Adviser to the president. They were two very different personalities. They were buds outside the White House.

The February 2017 incident wasn’t the only time the whistleblower exhibited concern toward the president. During the following months, both were accused internally of leaking negative information about Trump to the media. The whistleblower complaint cites Biden, alleging that he “reported” the whistleblower’s “repeatedly” expressed concerns about Trump to his staff and his “surrogates,” which the White House has denied.

Obama holdover and registered Democrat, Ciaramella in early 2017 expressed hostility toward the newly elected president during White House meetings, his co-workers said in interviews with RealClearInvestigations. They added that Ciaramella sought to have Trump removed from office long before the filing of the whistleblower complaint.

At the time, the CIA operative worked on loan to the White House as a top Ukrainian analyst in the National Security Council, whose role was as an adviser on Ukraine to Vice President Biden. The whistleblower complaint cites Biden, alleging that Trump demanded Ukraine’s newly elected leader investigate him and his son “to help the president’s 2020 reelection bid.”

Two NSC co-workers told RCI that they overheard Ciaramella tell Misko—who was also working at the NSC as an analyst—“The Trump administration is making anti-Trump remarks to each other while attending a staff-wide NSC meeting called by then-National Security Adviser Michael Flynn, and they sat together in the south auditorium of the Eisenhower Executive Office Building, part of the White House complex.

The “all hands” meeting, held about two weeks into the new administration, was attended by hundreds of NSC employees.

“They were popping off about how they were going to remove Trump from office. No joke,” said one ex-colleague, who spoke on the condition of anonymity to discuss sensitive matters.

A military staffer detailed to the NSC, who was seated directly in front of Ciaramella during their private conversation, which the whistleblower complaint confirmed, overheard them talk about toppling Trump during their private conversation, which the source said lasted about one minute. The crowd was preparing to get up to leave the room at the time.

“After Flynn briefed the [staff] about what ‘America first’ foreign policy means, Ciaramella responded, ‘We need to take him out,’” the staffer recalled. “And Misko replied, ‘Yeah, we need to do everything we can to take out the president.’”

Added the military detailede, who spoke on condition of anonymity: “By ‘taking him out,’ they meant removing him from office by any means necessary. They were triggered by Trump’s and Flynn’s vision for the world, this was the first ‘all hands’ [staff meeting] where they got to see Trump’s national security team side-hustling and puffing throughout the briefing any time Flynn said something they didn’t like about America’s allies.”

He said he also overheard Ciaramella telling Misko, referring to Trump, “We can’t let him enact this foreign policy.”

Allegedly, at a staff meeting, the military staffer immediately reported what he heard to his superiors.

It was so shocking that they were so blatant and outspoken about their opinion,” he recalled. “They weren’t shouting it, but they didn’t seem to feel the need to hide it.”

Attempts to reach Vindman through his lawyer were unsuccessful.
July 26 was also the day that Schiff hired Misko to head up the investigation of Trump, congressional employment records show. Misko, in turn, secretly huddled with the white-top to aid in filing his whistleblower complaint, according to multiple congressional sources, and shared what he told him with Schiff, who initially denied the contacts but then recanted in writing.

Schiff's office has also denied helping the whistleblower prepare his complaint, while rejecting a Republican subpoena for documents relating to it. Retired Capitol Hill aides and former federal and federal whistleblower experts are suspicious of that account.

Fred Fleitz, who fielded a number of whistleblower complaints from the intelligence community as a former senior House Intelligence Committee staff member, said it was obvious that the CIA analyst had received counsel in writing the nine-page whistleblower report.

"From my experience, such an extremely polished whistleblowing complaint is unheard of," Fleitz, also a former CIA analyst, said. "He appears to have collaborated in drafting his complaint with partisan House Intelligence Committee members and staff.

Fleitz served as counsel to the National Security Adviser John Bolton, said the complaint appears to have been crafted with an experienced charge of soliciting the "interference" of a foreign government in the election.

And the whistleblower's unsupported allegations to the inspector general for Intelligence Community, as a first article of impeachment against the president. It even adopts the language used by the CIA analyst in his complaint, which Fleitz said reads more like "a political document."

OUTSIDE HELP

After providing the outlines of his complaint to Schiff's staff, the CIA analyst was referred to whistleblower attorney Andrew Bakaj by a mutual friend who "is an attorney and expert in national security law," according to the Washington Post, which did not identify the go-between.

A former CIA officer, Bakaj had worked with Ciaramella at the spy agency. They have even more in common: like the 35-year-old Ciaramella, 37-year-old Bakaj is a Connecticut native who has spent time in Ukraine. He's also contributed money to Biden's presidential campaign and once worked for former Sen. Hillary Clinton. He's also briefed the intelligence panel Schiff chairs.

Bakaj brought in another whistleblower lawyer, Mark Zaid, to help on the case. A Democratic donor and a politically active anti-Trump advocate, Zaid was willing to help represent the CIA analyst. On Jan. 30, 2017, around the same time former colleagues say they overhear Ciaramella and Misko conspiring to take Trump out, Zaid tweeted that a "coup has started" and that "impeachment ultimately.""Neither Bakaj nor Zaid responded to requests for an interview.

It's not clear who the mutual friend and national security attorney was whom the analyst turned to for additional help after meeting with Schiff's staff. But people familiar with the matter say that former Justice Department national security lawyer David Laufman involved himself early on in the whistleblower case.

Also a former CIA officer, Laufman was prominent in Senate admission and counterintelligence cases, including the high-profile investigations of Clinton's classified emails and the Trump campaign's alleged ties to Russia. Laufman sat on the June 18 Trump's July 2016 FBI interview. He also signed off on the wiretapping of a Trump campaign adviser, which the Department of Justice inspector general determined was conducted under false pretexts involving doctored emails, suppression of exculpatory evidence, and the president's personal office was implicated in a report detailing the surveillance misconduct.

Laufman could not be reached for comment.

Laufman and Zaid are old friends who have worked together on legal matters in the past. "I would not hesitate to join forces with Zaid," said of Laufman in a recommendation posted on his LinkedIn page.

Laufman recently defended Zaid on Twitter after Zaid had accused Trump of a "coup" against him. "These attacks on Mark Zaid's patriotism are baseless, irresponsible, and dangerous," Laufman tweeted.

"Mark is an ardent advocate for his clients."

After the CIA analyst was coached on how to file a complaint under Intelligence Community whistleblower protections, he steered to another Obama holdover—former Justice Department attorney-turned-inspector general Michael Atkinson, who facilitated the processing of his complaint, despite little experience in the espionage cases raised by career Justice Department lawyers who reviewed it.

The department's Office of Legal Counsel that something was involved "foreign information," not intelligence, contained "hearsay" evidence based on "secondhand" information, and did not meet the definition of an allegation of wrongdoing under the Inspector General Act, to Congress. Still, Atkinson worked closely with Schiff to pressure the White House to make the complaint public.

Fleitz said that the CIA analyst in the whistleblower statute provided him cover from public scrutiny. By making him anonymous, he was able to hide his background and motives. He consulted with the IG inspector general, moreover, gave him added protections against reprisals, while letting him disclose classified information. If he had filed directly with Congress, it could not have made the complaint public due to classified concerns. But a complaint referred by the IG to Congress could have made public a lot more over what it could make public.

OMITTED CONTACTS WITH SCHIFF

The whistleblower complaint was publicly released Sept. 26 after a barrage of letters and a subpoena from Schiff, along with a flood of leaks to the media. But when it was investigated Trump campaign aides and Trump himself in 2016 and 2017. He worked closely with Laufman, the department's national security adviser, who's now aligned with the whistleblower's attorneys. Also, Atkinson served as senior counsel to Mary McCord, the senior Justice Department lawyer who helped disclose the FBI's Russia "collusion" probe, and who personally pressured the White House to fire then National Security Adviser Michael Flynn. She and Atkinson worked together on the Russia case. Closing the circle tighter, McCord was Laufman's boss at Justice.

As it happens, all three are now involved in the whistleblower case or the impeachment process.

After leaving the department, McCord joined the stable of attorneys Democrats recruited last year to help impeach Trump. She is listed as a top outside counsel for the House in key legal battles tied to impeachment, including trying to convince federal judges to unblock White House witnesses and documents.

"Michael Atkinson is a key anti-Trump conspirator who played a central role in transforming the 'whistleblower' complaint into the current impeachment proceedings," said Bill Marshall, a senior investigator for Judicial Watch, the conservative government watchdog group that is suing the Justice Department for Atkinson's internal communications regarding impeachment.
Atkinson’s office declined comment.

**ANOTHER ‘CO-CONSPIRATOR’?**

During closed-door depositions taken in the impeachment inquiry, Caramella’s confederate Misko was observed handing notes to Schiff’s legal counsel for the impeachment inquiry, Daniel Goldman—another Obama Justice attorney and a major Democratic donor—as he asked questions of Trump administration officials. With knowledge of the proceedings told RealClear Investigations, Misko also was observed sitting on the dais behind Democratic members during the publicly broadcast joint impeachment committee hearings.

Another Schiff recruit believed to part of the clandestine political operation against Trump is Rhodes, who also worked closely with Caramella at the NSC, both before and after Trump was elected. During the Obama administration, Grace was an assistant to Obama national security aide Ben Rhodes.

**Last February, Schiff recruited this other White House friend of the whistleblower to work as an impeachment investigator.** Grace is listed alongside Sean Misko as senior staffers in the House Intelligence Committee’s “The Trump-Ukraine Impeachment Inquiry.”

Republican Rep. Louie Gohmert, who served on one of the House impeachment panels, singled out Grace and Misko as “CIA analysts” in a January House floor speech arguing for their testimony. “These people are at the heart of everything about this whole Ukrainian hoax,” Gohmert said. “We need to be able to talk to these people.”

A Schiff spokesman dismissed Gohmert’s allegations.

**These allegations about our dedicated and professional staff members are patently false and are based off false smears from a congressional staffer with a personal vendetta from a previous job,” said Patrick Boland, spokesman for the House Intelligence Committee. “It’s shocking that members of Congress would repeat them and other false conspiracy theories, rather than focusing on the facts of the president’s misconduct.”**

Boland declined to identify “the congressional staffer with a personal vendetta.”

Schiff’s office declined to comment on reports that the CIAs had participated in the impeachment investigation.

**Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to have a statement I prepared concerning the impeachment trial be printed in the Record.**

There being no objection, the material was requested into the Record, as follows:

**SENATOR RICHARD BLUMENTHAL—STATEMENT FOR THE RECORD**

**IMPEACHMENT TRIAL OF DONALD JOHN TRUMP**

The case for impeachment presented by the House managers is overwhelming. Donald Trump solicited military aid hostage from an ally at war while demanding a personal, political favor. He tried to cheat, got caught, and worked hard to cover it up. His actions constitute a shocking, corrupt abuse of power and betrayal of his oath of office. Just as a sheriff cannot delay responding to a crime, the end of the re-election, the President is not entitled to withhold vital military assistance from a foreign ally until they announce an investigation into his political opponents. The proof shows precisely the type of corruption that the Framers sought to prevent through the Impeachment Clause, including foreign interference in the election. Two further points are significant. First, the president is guilty of the crime of bribery, which is specifically listed in the Constitution as an act of impeachment. Second, the president’s unprecendented campaign to obstruct the impeachment inquiry compels us to conclude that the evidence he is hiding would provide further proof of his guilt.

I. The President committed the federal crime of bribery

There is no question—based on the original meaning of the Constitution, the elaboration of the impeachment clause in the Federalist Papers, historical precedent, and common sense—that the president violated provision of any criminal code in order to warrant removal from office. The President’s argument that he must violate “established law” to be impeached would be unacceptable if its implications were not so dangerous.

But there is no reasonable doubt that the President has committed the federal crime of bribery as it existed at the time of the framers and now. Therefore, even using the President’s own standard, the Senate has no choice but to convict and remove him.

The evidence shows that the President solicited interference in the 2020 election for his own benefit by pressuring Ukraine to announce investigations into his political opponents in return for releasing nearly $400 million in taxpayer-funded military aid Ukraine desperately needed, as well as a meeting with President Zelensky at the White House. He sought, indeed demanded, a personal benefit in exchange for an official act.

Section 201 of Title 18 of the U.S. Code criminalizes “bribery of public officials and witnesses.” A public official is guilty under this section when he “obtains anything of value” in exchange for any “official act” and do so with corrupt intent. The code even specifies that punishment for this crime may include disqualification “from holding any office of honor, trust, or profit under the United States.”

A. The requested investigations constitute “things of value”

The investigations that President Trump requested into his political enemies and to undermine claims that Russia illegally helped him get elected are clearly “things of value.” By all accounts, he was obsessed with them. According to multiple reports, Trump cared more about the investigations than he did about defending Ukraine from Russian, Ambassador Gordon Sondland even testified that the President “doesn’t give a s**t” about Ukraine and only cares about “big stuff” like the announcement of the investigations.

Courts have consistently applied a broad and subjective understanding of the phrase “anything of value.” All that matters is that the government official is accepting or soliciting it. The Second Circuit has determined that “anything of value” includes stock that, although it had no commercial value at the time, had subjective value to the defendant. Similarly, the Sixth Circuit held that loans that a public official received had been otherwise receive were “things of value.” The Eighth Circuit has similarly emphasized that “anything of value” should be interpreted “broadly and subjectively.”

Further, the “thing” need not be tangible, and it need not be immediately available.

Here, President Trump clearly placed value on the announcement of investigations. During the July 25 phone call, Trump stated that it was “very important” that Schiff open the investigations. Over several months, Trump and Rudy Giuliani had made repeated public statements about how important they thought the investigations were. Since at least April, 2017, President Trump has been publicly promoting the debunked conspiracy theory that a California-based cybersecurity company, Crowdstrike, worked with the Democratic National Committee to fabricate evidence that Russia interfered in the 2016 election and hide the proof of their actions in an effort to discredit the focus of the investigation. In September 2017, as personal attorney, has been promoting a conspiracy theory about Joe and Hunter Biden since at least January, 2019. Days after Zelensky was elected, he was urging the Ukrainian president to look into the Bidens.

On July 10, top Ukrainian officials met with Energy Secretary Perry, John Bolton, Kurt Volker and Ambassador Marie Yovanovitch at the White House where Sondland made clear that an official White House visit with Zelensky was important to the President. On September 25, the impeachment inquiry was publicly launched after Trump of investigations that would smear Joe Biden and the DNC while casting doubt on Russian interference in the election. The proof is obvious. President Trump was elected in a shocking and narrow victory after polls showed him trailing his opponent until official polls showed him falling behind. The proof is obvious. President Trump was elected in a shocking and narrow victory after polls showed him trailing his opponent until official polls showed him falling behind. The proof is obvious. President Trump was elected in a shocking and narrow victory after polls showed him trailing his opponent until official polls showed him falling behind. The proof is obvious.
corruption effort. In short, they want the Senate to leave our common sense at the door. At least four undisputed facts decisively dispose of the claim that President Trump was motivated by the public interest and not his own.

First, as one of my colleagues has put it, it "stands to reason" that President Trump was pursuing the public interest and not his political benefit when the only corruption investigations he could think to demand were of his political rivals. President Trump's counsel have claimed throughout this trial that the President believed corruption in Ukraine to be widespread. He has suggested that the U.S. should engage in any other lawful actions that would allow DOJ to take testimony, execute searches and seizures, freeze assets, or otherwise cooperate with Ukraine to investigate Russian corruption.

In fact, Ukraine ultimately resisted President Trump's request for investigations, and the Department of Justice never pursued any official investigation or programmatic action other than the two investigations of his political rivals. Second, President Trump did not actually want to pursue the investigation he only wanted Zelensky to announce them. If he really did want to get to the bottom of a legitimate concern, a public announcement of the investigation would not further that interest. Any good investigator knows that, if you actually want to get to the truth, you do not prematurely tip off the subject of the investigation. Indeed, federal prosecutors are instructed to not even "respond to questions about the existence of an ongoing investigation or nature of ongoing charges before charges are publicly filed." While announcing the investigations could only harm any legitimate law enforcement objective, it would obviously benefit President Trump's political goals.

Third, President Trump never sought the investigations through ordinary, official channels, or if he did seek them the Justice Department declined to pursue them. If President Trump wanted bona fide investigations, as opposed to politically-motivated announcements that would have complicated the Department of Justice with conducting an official investigation, and the Department would have sought cooperation from the Ukrainian government through the U.S.-Ukraine Mutual Legal Assistance Treaty (MLAT). Legitimate requests made pursuant to an MLAT allow DOJ to take testimony, obtain records, locate persons, serve documents, transfer persons into U.S. custody, execute searches and seizures, freeze assets, and engage in any other lawful actions that would allow DOJ to take testimony, execute searches and seizures, freeze assets, or otherwise cooperate with Ukraine to investigate Russian corruption. Further, the Supreme Court unanimously held in 2016 that the quid pro quo demand "need not be explicit," the official "need not specify the means that he will use to perform his end of the bargain," but DOJ must actually intend to follow through for a prosecutor to succeed in making his case that the defendant is guilty of bribery. While the defendant in that case never made an explicit offer and never relayed a specific amount of money, the court nonetheless upheld his conviction for bribery.

Trump's actions clearly qualify as a quid pro quo. Less than a month prior to this phone call, President Trump had sought $300 million in military aid and the promised White House visit to Ukraine's new president, Volodymyr Zelensky. When Trump and Zelensky spoke on July 25, Trump set the terms of the conversation by making clear that he felt Ukraine owed him for America's generosity. And as soon as Zelensky mentioned that Ukraine was interested in receiving anti-tank missiles, the President immediately stated that he would like Zelensky to "do us a favor though," and explicitly asked Zelensky to investigate the Biden conspiracy theory and alleged Ukrainian interference in the 2016 election. As soon as Zelensky appeared to agree to open the requested investigations, Trump almost immediately assured the Ukrainian President that "whenever you would like to come to the White House, feel free to call." Text messages sent by Special Envoy Volker indicate that it had also been made clear to the Ukrainian government that an official White House visit was also conditioned upon Zelensky complying with Trump's request for these investigations.

President Trump's actions could be characterized as an agreement with the specific intent to influence his decision whether to lift the hold on military aid and to host a White House meeting. In United States v. Sun-Diamond Growers of California, the Supreme Court held that a bribe made or solicited "in return for" an official act entails an exchange, a quid pro quo. In a seminal case of the D.C. Circuit reasoned that the term "corruptly" means that the official act would not be undertaken or undertaken in a particular way) without the thing of value.

Department of Justice guidance on the issue, citing the standard jury instructions that numerous courts have upheld, indicates that the government cannot establish an exchange for the President's decision to completely bypass the Justice Department is that he knew that his conspiracy theories could not withstand scrutiny and he set out to circumvent law enforcement officials. They were solely intended to serve Trump's personal political purposes.
because the articles do not accuse him of bribery. Even setting aside that these defenses ignore the fact that Trump still has not held a White House meeting with Zelensky, arguments are wholly unpersuasive in their own right.

1. Trump’s subjective intent is eminently relevant

Trump claims that his subjective intent is irrelevant and cannot be imputed based on the reasons for which he sought the investigations. This argument is specious for at least three reasons. First, the two offenses in question—obstruction of justice and witness tampering—require explicit written instructions as to why they are being sought by the President’s attorneys. The facts be-

2. Trump completed his crime the moment he solicited the bribe

It is undisputed that the President, either directly or through his subordinates, demanded or solicited information from the Ukrainian embassy about the hold.60 If Trump decided to release the aid for entirely legitimate reasons, the fact that he requested the investigations after the hold was placed would make no difference.61 We also know that there is additional evidence out there that speaks to the President’s motivations and communications with the State Department about the hold.62 The head of the agency that placed the hold on the military assistance refused to respond to a lawful subpoena, under the instruction of the White House.63 As discussed below, when a party fails to produce or obtain, as described in the article, clear evidence gives rise to an inference that the evidence is unfavorable to him.”64 In this case, although the evidence already presented demonstrates the crime, it hides something, it is because they have failed to produce or obtain evidence that Trump had agreed to lift the hold or that the investigations, to the withholding party. In this case, courts instruct access to relevant evidence compels us to conclude that the evidence against him.

II. The President’s unprecedented campaign to obstruct access to evidence compels us to conclude that the evidence is unfavorable to him

The House of Representatives has made a very strong case that the President’s refusal to comply with Congress’s constitutional investigation is unlawful and constitutionally offensive. But make no mistake—this conflict is more than a dispute between the branches of government. The House of Representatives and a number of Senators have raised the alarm bells not for our own sake, but because when the President hides from Congress, he hides from the American people. The separation of powers does not exist to benefit members of Congress; it exists to curb the excesses of enormously powerful government agencies.

Throughout this entire ordeal—from the moment the call transcript was improperly withheld by the White House to the time when Trump threatened to unlawfully assert executive privilege over any testimony requested by the Senate—the President has sought to keep his illegal scheme secret from the very people the scheme was designed to manipulate: the American electorate.

Indeed, the withholding of aid itself was concealed, unlike with other similar pauses or suspensions of military assistance. The law and historical precedent are clear—when the President withholds relevant evidence, courts can instruct judges to make an adverse inference—to as-

The facts be-

A. Trump’s obstruction requires us to infer that all the evidence is against him, which only strengthens the case for removal for abuse of power.

It is a long-established rule of law that when a party “has relevant evidence within his control which he fails to produce, that party faces a presumption of unavailability to an inference that the evidence is unfavorable to him.”70 Importantly, this rule applies even in the absence of a subpoena and, in fact, “the willingness of a party to defy a subpoena in order to suppress the evidence strengthens the force of the preexisting inference,” because in that scenario “it can hardly be doubted he has some reason to fear that the evidence suppressed would be unfavorable to him.”71 Indeed, the courts have recognized that the adverse inference rule is essential to
prevent insatiant parties from abusing “costly and time consuming” court proceedings to subvert their legal duty to produce relevant evidence.7 The Supreme Court has long recognized that, by applying the doctrine of the strong production of relevant evidence when strong is available can lead only to the conclusion that the strong would have been adverse.77 As the Court put it, in circumstance of this sort, “silence the evidence most of the convincing character.”78

We know that the Trump administration has not been moved by the grave and inescapable evidence that it is hiding to produce. As an initial matter, the President has failed to comply with a single request from the House of Representatives, and, following the President’s orders, the White House, the office of the Vice President, the Office of Management and Budget, the State Department, the Department of Defense, and the Department of Energy refused to produce a single document in response to 71 specific requests issued by the House of Representatives.79

But we also know of specific pieces of evidence that go to the heart of the House’s case and that Trump is concealing. Mark Sandy, a former deputy national security advisor to the president, testified that in August, OMB produced a memorandum recommending that Ukraine’s military assistance be withheld.80 William Taylor testified that Sandy forwarded a USIP cable to Secretary Pompeo, relaying his concerns about the “folly I saw in withholding military aid to Ukraine at a time when hostilities were still active in the east and when Russia was watching closely to gauge the level of American support for the Ukrainian Government.”81 Mr. Taylor also testified that he exchanged text messages with Ambassador Volker and Sondland as well as with Ukrainian officials. The White House has refused to release any of these documents. We therefore must infer that they demonstrate that there was no interagency process to review the best use of the funds—that this rationale was pre-textual.

The White House maintains that Ukraine was not even aware of the hold on the military assistance until after it was reported on public media. This testimony is not only wrong—it is inadmissible.82 In the words of one court, “the production of weak evidence—evidence that is produced with a view to impressing the jurors with the weight of the character of the production”—testimony that includes reference to certain United States officials, compels us to make about the contents of the materials in question speech to Trump’s guilt.83

Second, as the House managers repeatedly cautioned us, would happen, the evidence that Trump has been hiding has started to come out. The steady drip of damning evidence leaking from the President’s associates, combined with Trump’s own public confession to obstruction, compels us to conclude what the law already instructs us to infer: that the mountain of evidence Trump is hiding proves his guilt.

Conclusion

It is clear to me that Trump is guilty of bribery and that his campaign to obstruct any investigation into his wrongdoing only strengthens the case against him. Trump’s actions have already removed him from office. When the Framers included the impeachment power in the Constitution, they knew that there would be a presidential election in 2 years. They also knew that this was an insufficient check against a President who abuses the power of his office to cheat his way to re-election. Trump’s misdeeds merit a case study in the need for impeachment.

Throughout the impeachment trial, I have been moved by the grave moral purpose that has motivated the Senate to consider the case of sustaining America as an idea, of our Constitution as a living document that gives substance to our identity as the world’s leading republic and defender of democratic ideals. The Senate is the only body on which the defendant subjectively attaches to the items re-

ENDNOTES

1. U.S. CONST. art. II. § 4 ("The President, [ . . . ] shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdoings.")

2. See generally, Jared P. Cole & Todd Garvey, CONG. RES. SERV., R44260, IMPEACHMENT AND REMOVAL (2015); see also Paul Tchividjian, Democrats Plot 1999 Video of Lindsay Graham Talking About Impeachment to Bolster Case Against Trump, CNN, Jan. 23, 2020, available at https://www.cnn.com/2020/01/23/politics/lindsay-graham-impeachment-trump/index.html (quoting then-Representative Graham’s statement during the Clinton impeachment that "[h]is impeachable offense ‘[d]oesn’t even have to be a crime. It’s just when you start using your office and you’re acting in a way that hurts people, you have committed a high crime and misdemeanour’."")

3. U.S. CONG., 2d Sess., 116th Cong., Why Did Alan Dershowitz Say Yes to Trump?, N.Y. TIMES, Jan. 22, 2020, available at https://www.nytimes.com/2020/01/22/opinion/alan-dershowitz-trump.html (quoting Alan Dershowitz’s 1998 comments regarding the Clinton impeachment that "[i]t certainly doesn’t have to be a crime. It’s just somebody who completely corrupts the office of president and who abuses trust and who poses great danger to our liberty. You don’t need a technical crime. You need a constitutional crime of acts of state. We look at how they conduct the foreign policy. We look at whether they try to subvert the Constitution").


5. The President does not contest that he is a public official, but the law confirms that it would be foolish to claim otherwise. The courts have found that a wide array of officials are subject to the bribery statute: from a pregnant wife of a federal judge, U.S. v. Pizzitola, 382 F.2d 745, 748 (5th Cir. 1967), to a private in the United States army, U.S. v. Kidd, 734 F. 2d 409, 411–12 (9th Cir. 1984), to a housing technician employed by an independent public corporation, U.S. v. Payne, 75 F.3d 1275, 1280 (8th Cir. 1996). It would defy reason to argue that a cook at a federal prison is a public official but the President of the United States is not.

6. Tom Porter, Ambassador Sondland Said Trump Doesn’t ‘Give a S—’ about Ukraine. Mary Lou McDonald ‘[i]s a public official but the President of the United States is not.

7. United States v. Williams, 705 F.2d. 603, 602–23 (2d Cir. 1983) ("Corruption of office occurring in explain-
31. MEMORANDUM OF TELEPHONE CONVERSATION, STATEMENT, Sept. 25, 2019 (“The President has not asked the Attorney General to contact Ukraine—on this or any other matter. The Attorney General is not communicated with Ukraine—on this or any other subject.”).
32. e Kenneth F. Vogel, Rudy Giuliani Plans Ukraine Trips to Push for Inquiries that Could Help Trump, N.Y. Times, May 9, 2019, available at https://www.nytimes.com/2019/05/09/us/politics/giuliani-ukraine-trump.html (quoting Giuliani, in response to questions about his travel to Ukraine, noting that “this isn’t foreign policy—I’m asking them to do an investigation [. . .] because that information will be very, very helpful to my cli-ent [Donald Trump], and may turn out to be helpful to my government.”) (emphasis added).
33. Miles Parks & Brian Naylor, Trump Did ‘Nothing Wrong,’ His Legal Team Says in First Day of Impeachment Defense, NPR, Jan. 25, 2020, available at https://www.npr.org/2020/01/ 25/472206505/legal-team-to-begin-impeachment-defense?utm-source=twitter&utm-term=npnnews&utm-campaign=mp&utm-medium=social (“American intelligence agencies have been unanimous in their assessment that it was Russia that interfered in the last presi-dential race.”).
34. 18 U.S.C. § 201(a)(3).
35. See U.S. Const. art. II § 2 (The President shall receive ambassadors and other public ministers,”); Zivotofsky v. Kerry, 576 U.S. 1, 135 S. Ct. 2076, 2096 (2015)(the Reception Clause “assigns the President means to effect recognition on his own initiative”).
38. McDonnell v. U.S., 138 S. Ct. 2355, 2373. The meetings that the Court considered in McDonnell were not comparable. Nowhere in Virginia’s constitution or statutes is the governor tasked with arranging meetings, hosting parties, or engaging in unofficial conversations with government officials. The Court took issue with a jury in-struction which stated that an official act need not have been taken “pursuant to re sponsibilities mandated by law,” whereas the President’s actions here clearly are assigned by law.
40. See Zivotofsky 135 S. Ct. at 2086.
42. U.S. v. Brezler, 506 F. 2d 62, 71 (D.C. Cir. 1974). In contrast, with a bribe under
201(c), the thing of value need not be a rea-son that the official performed the act at all. See infra 14-15.
44. McDonnell, 138 S. Ct. at 2371.
46. Id. at 789-90.
47. MEMORANDUM OF TELEPHONE CONVERSA-TION, supra n. 21 at 3.
she expected to, stated, the Ukrainians did not want the hold publicized because it "would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine." The transcript of the call, released by the U.S. Intelligence Community, was read by the committee.

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ambassadorship; the corruption running 
throughout our government that poses a threat to the 
wealthy and powerful to the det-
riment of everyone else.

Americans have a right to hear and see information that further exposes the gravity of the President's actions and the unprecedented steps he and his agents took to hide it from the American 
people. But more importantly, Americans deserve to know that the President of the United States is using the power of his office to work in the Nation's interest, not his own personal interest.

I voted to convict and to remove the President from office in order to stand up to the corruption that has permeated this administration and that was on full display with President Trump's abuse of power and obstruction of Congress. I will continue to call out this corruption and fight to make this government work not just for the wealthy and well-connected but to make it work for everyone.

Mr. PETERS. Mr. President, I swore an oath to defend the Constitution of the United States. Every U.S. Senator takes the same oath. The Constitution makes clear that no one is above the law, not even the President of the United States.

Over the past 2 weeks, the Senate has had overwhelming evidence showing that the President of the United States, Donald J. Trump, abused the power of his office to pressure the President of Ukraine to dig up dirt on a political rival to help President Trump in the next election. The President then executed an unprecedented 
campaign to cover up his actions, including a wholesale obstruction of Congress's effort to investigate his abuse of power.

The Constitution gives the Senate the sole power to conduct impeachment trials. A fair trial is one in which Senators are allowed to see and hear all of the relevant information needed to make their decision, including relevant witnesses and documents. The American people expected and deserved a fair trial, but that is not what they got. Instead of engaging in a pursuit for the truth, Senate Republicans voted with the President and refused to subpoena a single witness or document.

This trial boils down to one word: corruption—the corruption of a President who has repeatedly put his interests ahead of the interests of the American people and violated the Constitution in the process; the corruption of his political appointees, including individuals like U.S. Ambas-
dador to the European Union Gordon Sondland, who paid $1 million for an ambassadorship; the corruption 
running throughout our government that poses a threat to the interests of the wealthy and powerful to the det-
riment of everyone else.

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both as an officer in the U.S. Navy Reserve and as a U.S. Senator.

At the beginning of the impeachment trial, I swore an oath to keep an open mind, listen carefully to the facts, and in the end deliver impartial justice.

After carefully listening to the arguments presented by both House managers and the President’s lawyers, I believe the facts are clear.

President Trump stands accused by the House of Representatives of abusing his power to solicit foreign interference to benefit his campaign. The fact that the President repeatedly obstructed the inquiry by announcing a baseless cloud of theories and baseless unsubstantiated witnesses who could clear him of any wrongdoing, they would have witnesses who could clear him of any wrongdoing.

The President illegally withheld congressional-approved military aid to a foreign government to announce a trumped up investigation into a political rival and thereby put his personal interest ahead of national security and the public trust.

The President’s actions were not an effort to further official American foreign policy. The President was not working in the public interest.

What the President did was wrong, unacceptable, and impeachable.

I expected the President’s lawyers to offer new eyewitness testimony from people with firsthand knowledge and offer new documents to defend the President. It did not happen.

It became very clear to me that the President’s closest advisers could not speak to the President’s innocence, and his lawyers did everything in their power to prevent them from testifying under oath.

Witness testimony is the essence of a fair trial. It is what makes us a country committed to the rule of law.

If you are accused of wrongdoing in America, you have every right to call witnesses in your defense, but you also don’t have the right to stop the prosecution from calling a hostile witness or subpoenaing documents.

No one in this country is above the law—no one—not even the President.

If someone is accused of a crime and they have witnesses who could clear them of any wrongdoing, they would want those witnesses to testify. In fact, not only would they welcome it, they would insist on it.

All I wanted to do is use our common sense. The fact that the President refuses to have his closest advisers testify tells me that he is afraid of what they will say.

The President’s conduct is unacceptable for any official, let alone the leader of our country.

Our Nation’s Founders feared unchecked and unlimited power by the President. They rebelled against an abusive monarch with unlimited power and instead created a republic that distributed power across different branches of government.

They were careful students of history: they knew unchecked power would destroy a democratic republic.

They were especially fearful of an unchecked Executive and specifically granted Congress the power of impeachment to check a President who thought of themselves as above the law.

Two years ago, I had the privilege of participating in an annual bipartisan Senate tradition reading President George Washington’s farewell address on the Senate floor.

In that address, President Washington warned that unchecked power, the rise of partisan factions, and foreign influence, if left unchecked, would undermine our young Nation and allow for the rise of a despot.

He warned that we would become so divided and so entrenched in the beliefs of our particular partisan group that “cunning, ambitious and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government.”

I am struck by the contrast of where we are today and where our Founders were more than 200 years ago.

George Washington was the ultimate rock star of his time. He was beloved, and when he announced he would leave the Presidency and return to Mount Vernon, people begged him to stay.

There was a call to make him a King, and he said no. He reminded folks that he had just fought against a monarch and he said no. He reminded folks that he had just fought against a monarch, refused to be anointed King when it was offered to him by his adoring countrymen. He chose a republic over a monarchy.

But tomorrow, by refusing to hold President Trump accountable for his abuse of power, Republicans in the Senate are offering him unbridled power without accountability, and he will gleefully seize that power.

And when he does, our Republic will face an existential threat.

A vote against the Articles of Impeachment will set a dangerous precedent and will be used by future Presidents to act with impunity.

Given what we know, that the President illegally withheld foreign government aid to a foreign government to announce a trumped up investigation into a political rival and thereby put his personal interest ahead of national security and the public trust, this betrayal is by definition a high crime and misdemeanor. If it does not rise to the level of impeachment and removal, I am not sure what would.

The Senate has a constitutional responsibility to hold him accountable.

I will faithfully execute my oath and vote to hold this President accountable for his actions.

Mr. COTTON. Mr. President, I will soon join a majority of the Senate in voting down the Articles of Impeachment brought against the President by his partisan opponents. The time has come to end a spectacle that has embarrassed the presidency of President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgressions in his military policy; next for his immigration policy. And those are just the impeachment attempts.
high crimes and misdemeanors.” And that is especially true when we are just months away from the election that will let Americans make their own choice. Indeed, Americans are already voting to select the President’s Democratic challenger. Why not let the voters decide whether the President ought to be removed?

The Democrats’ real answer is that they are afraid they will lose again in 2020, so they designed impeachment to hurt the President before the election. As one Democratic congressman said last year, “I’m concerned that if we don’t impeach this president, he will get reelected.” Or, as minority leader Chuck Schumer claimed earlier this month, impeachment is a “win-win” for Democrats: either it will lead to the President’s defeat or it will hurt enough Republican Senators in tough races to hand Democrats the majority. Or maybe both.

The political purpose of impeachment was clear from the manner in which House Democrats conducted their proceedings. If impeachment was indeed the high-minded, somber affair that Speaker Nancy Pelosi claimed, House Democrats would have taken their time to get all the facts from all relevant witnesses. Instead, they barred ahead with a slipshod and secretive process, denying the President’s due-process rights, gathering testimonies—all hand-selected by the House Democrats—and received more than 28,000 pages of documents. The House could have pursued more witnesses during its impeachment, yet it instead chose to rush ahead rather than subpoena those witnesses or litigate issues in Federal court. In fact, when one of the House witnesses asked a Federal court to rule on the issue, the House withdrew its subpoena and asked to dismiss the case. The House Democrats complain that the courts would have taken too long. Yet they expected the Senate to delay our work to finish theirs. And in a final, remarkable stunt, Congressman Adam Schiff suggested that we depose witnesses—only his, of course, not the President’s—with Chief Justice Roberts ruling on all judicial questions. The Founders didn’t intend impeachment as a tool to check the Executive over policy disagreements or out of political spite. And the House has never before used impeachment in this way, not when the Democrats claimed President George W. Bush misled the country into the Iraq war or when President Barack Obama broke the law by releasing terrorists from Guantanamo Bay in return for the release of an American deserter Bowe Bergdahl. Indeed, the Republican House did not impeach President Obama for, yes, withholding aid from Ukraine for 3 full years.

No House in the future should lead the country down this path again. By refusing to do this House’s dirty work, the Senate is stopping this dangerous precedent and preserving the Founders’ understanding that Congress ought to restrain the executive through the many checks and balances still at our disposal. More fundamentally, we are preserving the most important check of all—an election. It is time to teach that lesson to this House and to all future Houses, of both parties. Nancy Pelosi and Adam Schiff have failed, but the American people lost. Now it is time to get back to doing the people’s business.

Mr. SULLIVAN. Mr. President, I rise today to speak about the impeachment of Donald J. Trump.

The Democratic House managers, who are prosecuting the case against the President, emphasized that history is watching. That is true. Every action taken by the House and the Senate during this impeachment sets a precedent for our country and our institutions of government, whether good or bad.

For that reason, it is our job as Senators to look at the entire record of this proceeding—from what happened in the House to final arguments made here in the Senate. The President’s duties are to look at the whole picture, the flawed process in the House, the purely partisan nature of the articles of impeachment, the President’s actions that led to his impeachment, and the impact of all of this on our constitutional norms.

Most importantly, we must weigh the impact on our Nation and on the legitimacy of our institutions of government. If the Senate were to agree with the House managers’ demands to overturn a clear election result, it would remove the President from the 2020 ballot. This has never happened in our country’s 243-year history.

It is also our job as Senators during an impeachment trial to be guided by “a deep responsibility to future times.” This is a quote from U.S. Supreme Court Justice Joseph Story, two centuries ago, but it couldn’t be more relevant today. With this grave constitutional responsibility in mind, and considering the important factors listed above, I will vote to acquit the President on both charges brought against him.

It may surprise some, but if you listened to all the witnesses in this trial and you examine the sweep of American history, one strong bipartisan point of consensus has emerged: purely partisan impeachments are not in the country’s best interest. In fact, they are a clear danger, which the framers of the Constitution clearly feared.

Alexander Hamilton’s warning from Federalist No. 65 bears repeating: “In many cases [impeachment] will confound the public with party passions, and will instill all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt . . . Yet it ought not to be forgotten that the demon of faction will, at certain seasons, extend his sceptre over all numerous bodies. The reason for this ‘greatest danger’ is obvious: the weaponization of impeachment as a regular tool of partisan warfare will incapacitate our government, undermine the legitimacy of our institutions, and tear the country apart. Until this impeachment, our country’s representatives largely understood this. During the Clinton impeachment—Democrats, including Minority Leader Schumer and House Managers Loporex and Nadler, argued that a purely partisan impeachment would be “divisive,” “lack the legitimacy of a national consensus,” and
call into question the very legitimacy of our political institutions.

Less than a year ago, Speaker Pelosi said: “Impeachment is so divisive to the country that unless there’s something so compelling and overwhelming and heroic, I don’t think we should go down that path because it divides the country.”

Yet here we are. Against the weight of bipartisan consensus and the wisdom of the Framers, the House still took this dramatic and consequential step, the first purely partisan impeachment in U.S. history. Only Democrats in the House voted to impeach the President, while a bipartisan group of House members opposed.

This was done through rushed House proceedings that lacked the most basic due process procedures afforded Presidents Clinton and Nixon during their impeachment investigations. A significant portion of the House proceedings last fall took place in secret, where the President was afforded no attorney or his counsel, the ability to call his own witnesses, or cross-examine those of the House Democrats. Certain testimonies from these secret hearings were then selectively leaked to a pro-impeachment press, which I assume to be a violation of Executive privilege. In my view, it sounds like something more worthy of the Soviet Union, not the world’s greatest constitutional republic.

Yet here we are. A new precedent has been set in the House. When asked several times if these precedents and the partisan nature of this impeachment should concern us, the House managers dodged the questions, and my Senate colleagues, who in 1999 were so strongly and correctly and vocally against the dangers of purely partisan impeachments, have all gone silent.

Perhaps it is too late. Perhaps the genie is now out of the bottle. Perhaps the danger that Hamilton so astutely predicted 232 years ago is upon us for good. I hope not. No one thinks that partisan impeachments every few years will have all gone silent.

In addition to unleashing the danger of purely partisan impeachments, the House’s impeachment action and their arguments before the Senate, if ratified, have sowed the seeds of other critical constitutional norms, such as the separation of powers and the independence of our judiciary.

These traditions exist to implement the will of the people we represent and to protect their liberty. And yet so much of what has already been done in the House and what has now been argued in the Senate has little or no precedent in U.S. history, thereby threatening many of the constitutional safeguards that have served our country so well for over two centuries.

Take, for example, the debate we recently had on whether to have the Senate seek additional evidence for this impeachment trial. The House Managers claim that, by not doing so, we are underwriting a “fair trial” in the Senate. The irony of such a claim should not be lost on the American people.

Throughout this trial, and in their briefs, the House managers have claimed dozens of times that they have “overwhelming evidence” on the current record to impeach the President, thereby undermining their own rationale for more evidence. And in terms of fairness, it is well documented that the Democratic leadership in the House just conducted the most rushed, partisan, and fundamentally unfair House impeachment proceedings in U.S. history.

A Senate vote to pursue additional evidence and witnesses would have turned the article I constitutional impeachment responsibilities of the House and Senate on their heads. It would have required the Senate to do the impeachment investigation work, even when the House affirmatively declined to seek additional evidence last fall, such as subpoenaing Ambassador John Bolton, because of Speaker Pelosi’s artificial deadline to impeach the President.

A vote by the Senate to pursue additional evidence that the House consciously chose not to obtain would incentivize less thorough and more frequent partisan impeachments in the future, a danger that should concern us all.

Another example of the House’s attempt to erode long-standing constitutional norms is found in its second Article of Impeachment, obstruction of Congress. This article claims that the President committed an impeachable offense by resisting House subpoenas for witnesses and documents, even though the House didn’t attempt to negotiate, accommodate, or litigate the President’s claims of executive privilege, such as executive privilege and immunity, to provide such evidence.

These defenses have been utilized by administrations, Democrat and Republican, for decades and go to the heart of the separation of powers within the article I and article II branches of the Federal Government and even implicate a defendant’s right to vigorously defend oneself in court. Indeed, the Supreme Court acknowledged in United States v. Nixon that the President has the right to executive privilege, so to attack the credibility and independence of the Chief Justice and the Constitution.

Nevertheless, the House managers argued that the mere assertion of these constitutional rights is an impeachable offense, in essence claiming the unilateral power to define the limits and scope of executive privilege, while simultaneously usurping that power from the courts, where it has existed for centuries.

Indeed, the House managers even argued that merely defending these defenses is evidence of guilt itself. This is a dangerous argument that demonstrates a lack of understanding of basic constitutional norms. As U.S. Supreme Court Justice Brandeis stated in his famous dissent in Myers v. United States, “The doctrine of the separation of powers was adopted by the convention of 1787 not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.” If allowed to stand by the Senate, the implications of these House precedents for our Nation and the individual liberties of the people we represent are difficult to discern, but would be profound and likely very negative.

Similarly concerning were the attempts, both subtle and not so subtle, to inject Chief Justice Roberts of the U.S. Supreme Court into this trial. The smooth siren song of House Manager Nadler described on day 1 of the trial as “executive privilege, and other nonsense.”

Moreover, the Chief Justice could do this all within a week, Schiff told us. It all seemed so simple, rational, and efficient. But our Constitution doesn’t work this way. The Chief Justice, in an impeachment of the President, sits as the Presiding Officer over the Senate, not as an article III judge. And while the Senate can delegate certain trial powers to him, it cannot delegate matters, such as a President’s claims of executive privilege, over which the Senate itself does not have constitutional authority.

The quick and efficient fix Schiff was tempting the Senate with might have ended up as a form of constitutional demolition. And as the trial proceeded, it became apparent that it was more than just claims of efficiency behind the invitation to draw the Chief Justice fully into the trial.

There was something else afoot, a subtle and not so subtle attempt by Schiff and his colleagues to attack the credibility and independence of the Chief Justice and the Constitution. The Chief Justice is the last line of defense against the excesses of the House and the Senate.

The quick and efficient fix Schiff was tempting the Senate with might have ended up as a form of constitutional demolition. And as the trial proceeded, it became apparent that it was more than just claims of efficiency behind the invitation to draw the Chief Justice fully into the trial.

The House managers made their case against the President with the argument that he committed an impeachable offense by withholding documents and testimony to the House.

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the Senate during Presidential impeachments. Chief Justice Roberts’ cogent, historically accurate, and constitutionally, based answer to this inquiry will set an important precedent on this impeachment issue for generations to come.

Perhaps it is all a coincidence, but as these attempts to diminish the Chief Justice’s credibility by more fully dragging him into this impeachment trial were ongoing, much more harsh politician attacks directly attacking him in this regard were also launched across the country. Members of the Senate noticed, and we were not impressed.

The independence of the Federal judiciary as established in our Constitution is a gift to our Nation that has taken centuries to develop. The overreach of the House managers and certain Democratic Senators seeking to undermine this essential constitutional norm was a disappointing and even dangerous aspect of this impeachment trial.

When historians someday write about this divisive period of American history, they would do well to focus on these subtle and not so subtle attacks on the Chief Justice’s credibility—and by extension the credibility of the Supreme Court—for it was clearly one of the important reasons why the Senate voted last week, 51 to 49, to no longer prolong the trial phase of this impeachment.

The impeachment articles do not charge the President with a crime. Although there was much debate in the trial on whether this is required, it is undisputed that in all previous presidential impeachments—Johnson, Nixon, and Clinton—the President was charged with having violated a criminal statute. And there was little dispute that these charges were accurate. Lowering the bar to non-criminal offenses has set a new precedent. However, whether a crime is required is still debatable. Instead, the House impeachment charged the President with an abuse of power based on speculative interpretation of his intent.

So what about the President’s actions that were the primary focus of this impeachment trial and the basis of the House’s first Article of Impeachment claim that he abused his power? The House managers argued that the President abused his power by taking actions that on their face appeared valid—withstanding aid to a foreign country and investigating corruption—but were motivated by “corrupt intent.”

One significant problem with this argument is that it is vague and hinges on deciphering the President’s intent and motives, a difficult feat because it is subjective and could be—and was indeed in this case—defined by a partisan House. Further, the House managers argued essentially that there could be no legitimate national interest in pursuing investigations into interference of the U.S. 2016 elections by Ukraine and corruption involving Burisma.

I believe all Presidents have the right to investigate interference in U.S. elections and credible claims of corruption and conflicts of interest, particularly in countries where America sends significant amounts of foreign aid, like Ukraine, and where corruption is endemic, like at home.

Were the President’s actions perfect? No. For example, despite having the authority to investigate corruption in Ukraine and with Burisma, I believe he should have requested such an investigation through more official and robust channels, such as pursuing cooperation through the U.S. Mutual Legal Assistance Treaty with Ukraine, with the Department of Justice in the lead. I also believe that the role of Mr. Giuliani has caused confusion and may have undermined the Trump administration’s broader foreign policy goals with regard to Ukraine.

But none of this even remotely rises to the level of an offense that merits removing the President from office. It is difficult to imagine a situation requiring a higher burden of proof. The radical and dangerous step that the House Democrats are proposing seems to have been lost in all of the noise.

What the House is asking the Senate to do is not just overturn the results of the 2016 election—nullifying the votes of millions of Americans—but to remove the President from the 2020 ballot, even as primary voting has begun across the country.

Such a step, if ever realized, would do infinitely more damage to the legitimacy of our constitutional republic and political system than any mistake or error of judgment President Trump may have made.

An impeachment trial is supposed to be the last resort to protect the American people against the highest crimes that undermine and threaten the foundations of our Republic, not to get rid of a President because a faction of one political party disagrees with the way he governs. That is what elections are for.

I trust the Alaskan and American people, not House Democrats, with the monumental decision of choosing who should lead our Nation. And soon, they will decide, again, who should lead our Nation. In churches, libraries, and school cafeterias, the people all across the country will vote for who they want to represent them.

And I am confident that the American people will make their choices wisely.

Let me conclude by saying a few words about where we should go from here.

Right before this impeachment trial began, I was at an event in Wasilla, AK, where many of Alaska’s military veterans attended. A proud veteran approached me with a simple but fervent request. “Senator SULLIVAN,” he said, “Protect our Constitution.”

So many of us, including me, have heard similar pleas over the past few months from the people we represent, but there was something about the way he said it, something in his eyes that truly got my attention. I realized that something was fear. That man, a brave Alaskan who has served in the military to protect our constitutional freedoms, was afraid that the country he knows and loves, is at risk and I have to admit that I have had similar fears these past weeks.

But I look around me, on this floor, and I continue to see hope for our Nation.

I see my colleagues on the other side of the aisle—my friends—who are willing to work with me on so many issues to find solutions sorely needed for the country.

And back home, I see my fellow Alaskans, some of them fearful, but also so hungry to do their part to help heal the divides.

We should end this chapter, and we should take our cues from them, the people whose spirit and character defines this great Nation that sent us to protect our Constitution. They need us to work together to do that and address America’s challenges.

It’s time to get back to the work Alaskans want the Congress to focus on: building our economy, improving our infrastructure, rebuilding our military, cleaning up our oceans, lowering healthcare costs and drug prices, opening markets for our fishermen, and taking care of our most vulnerable in society like survivors of sexual assault and domestic violence and those struggling with addiction.

That is what I am committed to do.

Ms. CORTEZ MASTO. Mr. President, the decision I make today is not an easy one, nor should it be.

I have approached this serious task with an open and impartial mind, as my trial oath required. I have studied the facts and the evidence of the case before me.

I have been an attorney for over two decades, and I was the attorney general of Nevada for 8 years. And I keep coming back to what I learned in the courtroom. The law is a technical field, but it is also based on common sense.

You don’t have to study the law for years to know that stealing and cheating are wrong. It is one of the first things we learn in our formative years.

And you don’t have to be a law school professor to realize that a President who is not using the job the American people gave him to benefit himself personally.

Abraham Lincoln reminded us that our Nation was founded on the essential idea of government “of the people, by the people, for the people.”

As I sat on the Senate floor thinking about President Lincoln and listening to the arguments in President Trump’s impeachment trial, I thought of the awesome responsibility our Founding Fathers entrusted to each Senator.

I thought about all of the Nevadans I represent—those who voted for President Trump and those who did not. For those who did, I put myself in
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their shoes and considered how I would respond if the President were from my political party.

The removal of a sitting President through impeachment is an extraordinary remedy. It rarely occurs, and no Senator should rush into it without thinking twice.

Yet impeachment is a key part of our constitutional order. When our Founding Fathers designed the Office of the Presidency, the Framers of the Constitution had just gotten rid of a King, and they didn't want another one.

They were afraid that the President might use his extensive powers for his own benefit.

To prevent this, the Framers provided for impeachment by the House and trial by the Senate for "treason, bribery, or other high crimes and misdemeanors."

They didn't have to do things this way. They could have left it up to the courts, tried the case—like any trial attorney.

The truth in any case that I have been involved with starts with the facts.

For 2 weeks I listened to the arguments presented by both sides, took notes, posed questions, and identified the facts that were supported and substantiated and those that were not.

With a heavy heart and great sadness, I became convinced by the evidence that President Trump intentionally withheld security assistance and a coveted White House meeting to pressure Ukraine into helping him politically, even though Ukraine was defending itself from Russia.

"This wasn't an action "of the people, by the people," for the people." President Trump used the immense power of the U.S. Government not for the people but, rather, for himself.

We know these facts from President Trump's words in a phone call to Ukrainian President Zelensky in July and in statements to the press in October.

We also know through testimony provided during the House investigation that President Trump tried to pressure Ukraine to announce those investigations, first by conditioning a visit by President Zelensky to the White House on them and later by denying $391 million in security assistance to Ukraine.

Some of my colleagues don't dispute these facts.

President Trump's actions interfere with the fundamental tenets of our Constitution. Citizens do not get to govern themselves if the officials who get elected seek their own benefit to the detriment of the public good.

The Framers knew this. They were very aware that officials could leverage their office to benefit themselves.

In Federalist No. 65, Alexander Hamilton explained why we had the impeachment power in the first place: it was to respond to "those offenses which proceed from the misconduct of public men, or in other words, from the abuse or violation of some public trust."

With the undisputed facts condemning the President, I listened to the President's counsel argue that the Articles of Impeachment were defective because abuse of power and obstruction of Congress are not crimes. However, many constitutional scholars soundly refuted this argument, and precedent supports them. The Impeachment Articles in President Nixon's case included abuse of power and obstruction of Congress.

During this impeachment investigation, the President blocked all members of his administration from testifying in response to congressional committee requests and withheld all documents.

This action is absolutely unprecedented in American history. Even Presidents Nixon and Clinton allowed staff to testify to Congress during impeachment investigations and provided some documents.

The executive branch has no blanket claim to secrecy. It works for the American people, as do Members of Congress.

In the Senate, the President's counsel argued that the House investigators should have fought this wholesale obstruction in court. Yet at the same time, in a court down the street, other administration lawyers contended that the courts should stay out of disputes between Congress and the President.

The President's counsel also argued that the American people should decide in the next election whether to remove President Trump for his actions. But if this were the standard, then the impeachment clause could only ever be used on the second term of a President, when no upcoming election would preserve the country.

Most importantly, isn't the impeachment clause pointless if a president can abuse his power in office and then continue to refuse to comply with a House impeachment investigation and a Senate trial in order to delay until the next election?

The Framers themselves actually argued about whether Americans could rely on elections to get rid of bad presidents. They decided that if they didn't put the impeachment power into the Constitution, a corrupt President "might be willing to do anything to get himself reelected."

James Madison said that without impeachment, a corrupt President "might be fatal to the Republic."

And through my oath of office as a Senator, I swore to protect not just Nevadans but also our great Republic.

Our country, unfortunately, has never been more divided along party lines. It played out in the House impeachment investigation and in the Senate trial. The Senate rules for the trial were not written by all of the Senators with bipartisan input. Instead, they were written behind closed doors by one man in coordination with the President. In so doing, the Senate has abdicated its powerful check on the executive branch.

Without this important check, I am concerned about what the President will do next to put our Republic in jeopardy.

We have seen that President Trump is willing to violate our Constitution in order to get himself reelected. He has disrespected norms and worked to divide our country for his own political gain. He has undermined our standing in the world and put awesome pressure on foreign leaders to benefit himself rather than to advance the interests of our country.

I have also learned from this trial that the President is willing to take any action, including cheating in the next election, to serve his personal interest.

No act in our country is more sacred and solemn for democracy than voting, and nothing in our system of government is more vital to the continued health of our democratic elections. No American should stand for foreign election interference, much less invite it.

American elections are for Americans.

That is why I cannot condone this President's actions by acquitting him.

Finding the President guilty of abuse of power and obstruction of Congress marks a sad day for our country and not something I do with a light heart. I was sent to Congress just to fight for all Nevadans but also to fight for our children and their future. To leave them with a country that still believes in right and wrong, that exposes corruption in government and holds it accountable, that stands up to tyranny at home and abroad.

In my view, President Trump has fallen far, far short of those lofty ideals and of the demands of our Constitution.

That requires the rest of us, regardless of party, creed, or ethnicity, to work together all the more urgently to defend our democracy, our elections, and our national security.
I have faith in Americans because I have seen time and time again in Nevada our ability to come together and work with one another for our common good.

America is more than just one person, and like President Lincoln’s, my faith will always lie with the people.

Ms. ROSEN. Mr. President, I didn’t come to the Senate expecting to sit as a juror in an impeachment trial. I have participated in this trial with an open mind, determined to evaluate using President’s actions outside of any partisan lens, and with a focus on my constitutional obligations. I listened to the arguments, took detailed notes, asked questions, and heard both sides answer questions from my colleagues.

After thorough consideration, based on the evidence presented, sadly, I find I have no choice but to vote to remove the President from office.

The first Article of Impeachment charges the President with abuse of power, specifically alleging that the President used the powers of his public office to obtain an improper political benefit. I can now conclude the evidence shows that this is exactly what the President did when he and his senior officials prioritistically important security assistance from Ukraine in order to persuade the Ukrainian Government to investigate his political rival. I understand that foreign policy involves negotiations, advantages, and using all the powers at our disposal to advance U.S. national security goals. But this was different. The President sent his personal attorney, whose obligation is to protect the personal interests of the President, not the United States, to meet and negotiate with foreign government officials from Ukraine to get damaging information about the President’s rivals, culminating in the July 25 phone call between the U.S. and President’s actions outside of any partisan lens, and with a focus on my constitutional obligations. I listened to the arguments, took detailed notes, asked questions, and heard both sides answer questions from my colleagues.

After thorough consideration, based on the evidence presented, sadly, I find I have no choice but to vote to remove the President from office.

The first Article of Impeachment charges the President with abuse of power, specifically alleging that the President used the powers of his public office to obtain an improper political benefit. I can now conclude the evidence shows that this is exactly what the President did when he and his senior officials prioritistically important security assistance from Ukraine in order to persuade the Ukrainian Government to investigate his political rival. I understand that foreign policy involves negotiations, advantages, and using all the powers at our disposal to advance U.S. national security goals. But this was different. The President sent his personal attorney, whose obligation is to protect the personal interests of the President, not the United States, to meet and negotiate with foreign government officials from Ukraine to get damaging information about the President’s rivals, culminating in the July 25 phone call between the U.S. and Ukraine to publicly announce investigations underway in Ukraine.

Trump also sought to pressure the Government of Ukraine to announce investigations underway in Ukraine. He did so through a scheme or course of conduct. As elected official of the United States, regardless of party, can trade congressionally approved and legally mandated military assistance for personal political favors. No one is above the law, not this President or the next President. Having exercised my constitutional duty, I will continue what I have been doing over the course of this trial and have done since I first came to Congress, to look past partisanship and develop bipartisan solutions that help hard-working families in Nevada and across the country.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

The JOURNAL

The CHIEF JUSTICE. If there is no objection, the Journal of proceedings of the trial is approved to date.

The Deputy Sergeant at Arms, Jennifer Hemingway, will make the proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are subject to the call of the Chair.

The Deputy Sergeant at Arms, Jennifer Hemingway, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are subject to the call of the Chair.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, the Senate is now ready to vote on the Articles of Impeachment, and after that is done, we will adjourn the Court of Impeachment.

ARTICLE I

The CHIEF JUSTICE. The clerk will now read the first Article of Impeachment.

The senior assistant legislative clerk read as follows:

ARTICLE I

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States—Mr. Trump has abused the powers of his high office. Mr. Trump sought to interfere with the President’s conduct here sets a dangerous precedent that must not be repeated in the future and requires a firm response by the representatives of the people. After hearing evidence that the President, elected and constitutionally approved military assistance to an ally fighting Russia in order to exact concessions from Ukraine that benefited him personally, we cannot trust the President to place national security over his own interests. It is therefore with sadness that I conclude that the President must be removed from office under article I and I will vote to convict him of abuse of power.

With respect to the Second Article of Impeachment charging obstruction of Congress, the President’s behavior suggests that he believes he is above the law. Certainly, there may be documents and testimony that are subject to the President’s personal interest. But here, the President directed every agency, office, and employee in the executive branch not to cooperate with the impeachment inquiry conducted by the U.S. House of Representatives. As a Member of Congress, I take my oversight role seriously. It is how we ensure transparency in government, so the people of Nevada can know how their tax dollars are spent and whether their elected officials are acting legally, ethically, and in their best interests. The President’s refusal to negotiate in good faith with the House investigators over documents and testimony and instead to impede any investigation into his official conduct can only be characterized as blatant obstruction.

More importantly, it suggests that he will continue to operate outside the law, and if he believes he can ignore lawful subpoenas from Congress, it will be impossible to hold him accountable. For these reasons, I will vote to convict the President of obstruction of Congress, as delineated in article II. As a reminder to everyone in the Chamber, as well as those in the Galleries, demonstrations of approval or disapproval are prohibited.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, the Senate is now ready to vote on the Articles of Impeachment, and after that is done, we will adjourn the Court of Impeachment.

Mr. McCONNELL. Mr. Chief Justice, I now read the first Article of Impeachment.

The senior assistant legislative clerk read as follows:

ARTICLE I

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States—Mr. Trump has abused the powers of his high office. Mr. Trump sought to interfere with the President’s conduct here sets a dangerous precedent that must not be repeated in the future and requires a firm response by the representatives of the people. After hearing evidence that the President, elected and constitutionally approved military assistance to an ally fighting Russia in order to exact concessions from Ukraine that benefited him personally, we cannot trust the President to place national security over his own interests. It is therefore with sadness that I conclude that the President must be removed from office under article I and I will vote to convict him of abuse of power.

With respect to the Second Article of Impeachment charging obstruction of Congress, the President’s behavior suggests that he believes he is above the law. Certainly, there may be documents and testimony that are subject to the President’s personal interest. But here, the President directed every agency, office, and employee in the executive branch not to cooperate with the impeachment inquiry conducted by the U.S. House of Representatives. As a Member of Congress, I take my oversight role seriously. It is how we ensure transparency in government, so the people of Nevada can know how their tax dollars are spent and whether their elected officials are acting legally, ethically, and in their best interests. The President’s refusal to negotiate in good faith with the House investigators over documents and testimony and instead to impede any investigation into his official conduct can only be characterized as blatant obstruction.

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The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, the Senate is now ready to vote on the Articles of Impeachment, and after that is done, we will adjourn the Court of Impeachment.
Is the respondent, Donald John Trump, guilty or not guilty? A rollcall vote is required. The clerk will call the roll.

The legislative clerk called the roll. The result was announced—guilty 48, not guilty 52. Voting:

[Rollcall Vote No. 33]

GUILTY—48

Baldwin Hassan
Bennet Heinrich Rosen
Booker Hirono Schatz
Brown Kaine Shumer
Cantwell King Shelby
Cardin Klobuchar Sinema
Carper Leahy Smith
Casey McCain Stabenow
Conns Markley Tester
Cortez Masto Menendez Udall
Duckworth Merkley Van Hollen
Durbin Murphy Warner
Feinstein Murray Warren
Gillibrand Murray Whitehouse
Harris Reed Wyden

NOT GUILTY—52

Alexander Fischer Perdue
Barrasso Fischer Portman
Bfillmore Gardner Porter
Blumenthal Grassley Roberts
Boozman Hawley Rounds
Braun Hawley Rounds
Burr Hyde-Smith Rubio
Capito Inhofe Scott (FL)
Cassidy Jindal Scott (LA)
Collins Kennedy Scott (RI)
Cornyn Lankford Shelby
Cotton Lee Sullivan
Cramer Loefler Thune
Croap McConnell Tubbs
Cruz Murphy Toomey
Daines Moran Wicker
RNi Murkowski Young

The CHIEF JUSTICE. On this Article of Impeachment, 48 Senators have pronounced Donald John Trump, President of the United States, guilty as charged; 52 Senators have pronounced him not guilty as charged.

Two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that the Respondent, Donald John Trump, President of the United States, is not guilty as charged on the first Article of Impeachment.

The clerk will read the second Article of Impeachment.

The legislative clerk read as follows:

ARTICLE II: OBSTRUCTION OF CONGRESS

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Mis- demeanor.” This Article of Impeachment follows the power of the President, who directed Executive branch agencies and current and former officials to resist investigation into possible crimes. These actions were consistent with President Trump’s previous assertions of executive power. In all of this, President Trump has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus interposed the powers of the President against the lawful subpoenas of the House of Representatives, and assumed to himself functions and powers necessary to the exercise of the “sole Power of Impeachment” vested in the Constitution in the House of Representatives.

The CHIEF JUSTICE. Each Senator, when his or her name is called, will stand at his or her place and vote guilty or not guilty, as required by rule XXIII of the Senate Rules on Impeachment.

The House of Representatives has engaged in an impeachment inquiry focused on President Trump’s corruption solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of this impeachment inquiry, the Committee on Intelligence undertook investigation and received evidence that the United States Government—conditioned two foreign policy decisions on the President’s previous invitations of foreign assistance to Ukraine to oppose Russian aggression. Wherefore, President Trump abused the powers of his high office through the following means:

(1) Directing the White House to produce a single document or record.
(2) Directing other Executive Branch agencies and offices to delay lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of En- ergy, and Department of Defense refused to produce a single document or record.
(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Ad- ministration officials defied subpoenas for testimony, namely John Michael “Mick” Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wails Griff- ith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl. These actions were consistent with President Trump’s previous invitations of foreign interference in United States Government investigations into foreign interference in United States elections.

Through these actions, President Trump sought to frustrate the President’s previous invitations of foreign interference in United States elections.

In all of this, President Trump has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump has also acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.
Senators, how say you? Is the respondent, Donald John Trump, guilty or not guilty?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—guilty 47, not guilty 53, as follows: [Roll call Vote No. 34]

**GUilty—47**

Balduin, Hassan, Rosen

Bennet, Heitrich, Sanders

Blumenthal, Hirono, Schiff

Booher, Jones, Schumer

Brown, Kaine, Shaheen

Cantwell, King, Sinema

Cardin, Klobuchar, Smith

Casper, Manchin, Stabenow

Coons, Markay, Tester

Cortez-Monet, Menendez, Udall

Duckworth, Markey, Van Hollen

Durbin, Murphy, Warner

Feinstein, Murray, Whitehouse

Gillibrand, Peters, Wyden

Harris, Reed

**NOT GUILTY—53**

Alexander, Fischer, Perdue

Barrasso, Gardner, Portman

Blackburn, Graham, Ritchie

Blumenthal, Grassley, Roberts

Boozman, Hawley, Romney

Broun, Hoeven, Rounds

Burts, Hyde-Smith, Rubio

Capito, Inhofe, Sasse

Cassidy, Johnson, Scott (FL)

Collins, Kennedy, Scott (SC)

Concyn, Lankford, Shelby

Cotton, Lee

Cramer, Loeffler

Crapo, McConnell, Thune

Cruz, McSally, Tillis

Daines, Moran, Toomey

Ezzi, Murphy, Wicker

Ernest, Paul, Young

The CHIEF JUSTICE. On this Article of Impeachment, 47 Senators have pronounced Donald John Trump, President of the United States, guilty as charged; 53 Senators have pronounced him not guilty as charged; two-thirds of the Senators present not having pronounced him guilty, the Senate adjourned without finding him guilty of the charge, in accordance with the second Article of Impeachment.

The Presiding Officer directs judgment to be entered in accordance with the judgment of the Senate as follows:

The Senate, having tried Donald John Trump, President of the United States, to answer the charges contained in the articles of impeachment exhibited against him by the House of Representatives, and having found him guilty of the charges contained therein, is, therefore, ordered and adjudged that the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles.

The Chair recognizes the majority leader.

**COMMUNICATION TO THE SECRETARY OF STATE AND TO THE HOUSE OF REPRESENTATIVES**

Mr. MCCONNELL, Mr. Chief Justice, I send an order to the desk.

The CHIEF JUSTICE. The clerk will report the order.

The legislative clerk read as follows:

Ordered, that the Secretary be directed to communicate to the Secretary of State, as provided by Rule XXII of the Rules of Procedure and Practice of the Senate when sitting on impeachment trials, and also to the House of Representatives, the judgment of the Senate in the case of Donald John Trump, and transmit a certified copy of the judgment to each.

The CHIEF JUSTICE. Without objection, the order will be entered.

The majority leader is recognized.

**EXPRESSION OF GRATITUDE TO THE CHIEF JUSTICE OF THE UNITED STATES**

Mr. MCCONNELL. Mr. Chief Justice, before this process fully concludes, I want to very quickly acknowledge a few of the people who helped the Senate fulfill its duty through the past weeks...

First and foremost, I know my colleagues join me in thanking Chief Justice Roberts for presiding over the Senate trial with a clear head, steady hand, and the forbearance that this rare occasion demands.

We know full well that his presence as our Presiding Officer came in addition to, not instead of, his day job across the street, so the Senate thanks the Chief Justice and his staff who helped him perform this unique role.

Like his predecessor, Chief Justice Rehnquist, the Senate will be awarding Chief Justice Roberts the golden gavel to commemorate his time presiding over this body. We typically award this to new senators after about 100 hours in the chair, but I think we can agree that the Chief Justice has put in his due and then some.

The page is delivering the gavel.

The CHIEF JUSTICE. Thank you very much.

Mr. MCCONNELL. Of course, there are countless Senate professionals whose efforts were essential, and I will have more thorough facts to offer next week to all of those teams, from the Secretary of the Senate’s office, to the Parliamentarian, to the Sergeant at Arms team, and beyond.

But there are two more groups I would like to single out now. First, the parliamentary service to this body and to the country.

I, too, would also like to extend my personal thank you to David Hauck, Director of the Office of Accessibility Services; Tyler Pumprey, supervisor; and Grace Ridgeway, wonderful Director of Capitol Photography, who helped him perform this unique role.

Everyone on Grace’s team worked so hard to make sure we were ready for impeachment: Gary Richardson, known affectionately to us as “Tiny,” the chief chamber attendant; Jim Hoover and the cabinet shop who built new cabinets to deprive us of the use of our electronics and flip phones during the trial; Brendan Byrd and her team who did a spectacular job of keeping the Capitol clean; and Lynden Webb and his team, who moved the furniture, and then moved it again and again and again.

Grace, we appreciate all your hard work. Please convey our sincerest thanks to your staff. Thank you all, too, to the whole Staff, for your diligent work through many long days and late nights during this very trying time in our Nation’s history.

**STATEMENT OF THE CHIEF JUSTICE OF THE UNITED STATES ON THE SENATE FLOOR**

The CHIEF JUSTICE. At this time, the Chair also wishes to make a very brief statement.

I would like to begin by thanking the majority leader and the Democratic leader for their support as I attempted to carry out all my duties in an unfamiliar setting. They ensured that I had wise counsel of the Senate itself through its Secretary and her legislative staff.

I am especially grateful to the Parliamentarian and her deputy for their unfailing patience and keen insight. I am likewise grateful to the Sergeant at Arms and his staff for the assistance and many courtesies that they extended during my period of required residency. Thank you all for making my presence here as comfortable as possible.

As I depart the Chamber, I do so with an invitation to visit the Court.
long tradition and in memory of the 135 years we sit in this building, we keep the front row of the gallery in our courtroom open for Members of Congress who might want to drop by to see an argument—or to escape one.

I also depart with sincere good wishes as we carry out our common commitment to the Constitution through the distinct roles assigned to us by that charter. You have been generous hosts, and I look forward to seeing you again under happier circumstances.

The Chair recognizes the majority leader.

ADJOURNMENT SINE DIE OF THE COURT OF IMPHEMENT

Mr. McCONNELL. Mr. Chief Justice, I move that the Senate, sitting as a Court of Impeachment on the Articles against Donald John Trump adjourn sine die.

The motion was agreed to, and at 4:41 p.m., the Senate, sitting as a Court of Impeachment, adjourned sine die.

LEGISLATIVE SESSION

ESCORTING OF THE CHIEF JUSTICE

Whereupon, the Committee of Escort: Mr. BLUNT of Missouri, Mr. LEAHY of Vermont, Mr. GRAHAM of South Carolina, and Mrs. FEINSTEIN of California, escorted the Chief Justice from the Chamber.

The PRESIDING OFFICER (Mrs. Blackburn). The Sergeant at Arms will escort the House managers out of the Senate Chamber.

Whereupon, the Sergeant at Arms escorted the House managers from the Chamber.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAMER). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 562.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

CLOTURE MOTION

Mr. McCONNELL, Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 563.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

CLOTURE MOTION

Mr. McCONNELL, Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 461.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented
under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOSURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McConnel. Mr. President, I move to proceed to executive session for the consideration of Calendar No. 535.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

CLOSURE MOTION

Mr. McConnel. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOSURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

Mr. McConnel. I ask unanimous consent that the mandatory quorum call for these cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.
Throughout my time in Congress, I have worked to address our Nation’s most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I voted no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 9/26/19 for vote No. 310, amendment to continuing appropriations, 2020/health extenders, H.R. 4378, PL 116-59.

Throughout my time in Congress, I have worked to address our Nation’s most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I voted no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 340, amendment to further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation’s most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I voted no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 341, passage of further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation’s most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I voted no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 351, passage of further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation’s most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I voted no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 351, confirmation of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service.

**ADDITIONAL STATEMENTS**

**REMEMBERING DENMAN WOLFE**

- Mr. COTTON. Mr. President, Denman Wolfe of Scottsville, AR, was called home to be with the Lord last Thursday at age 98. He was Arkansas’s last surviving Army Ranger who served in the Second World War.

Denman’s whole life was a portrait of honor and duty, and he will be remembered especially for his heroic actions at age 23, when he took part in the invasion of Normandy—one of many thousands of American troops who stormed the beaches that morning to free Europe from Nazi tyranny.

Private Wolfe was part of the elite 5th Ranger Battalion charged with silencing the guns atop Pointe du Hoc, a dagger-like cliff well-guarded by German defenders. His force landed at Omaha Beach amid intense artillery fire, sustaining casualties amid the fighting on the beachhead. He was still on the beach with his fellow Rangers when MG Norman Cota shouted the order that has now become part of Ranger lore: “Rangers, lead the way!”

Denman Wolfe obeyed this order with distinction over the course of his military service. In addition to fighting on D-day, Wolfe led the way during the Allied invasions of North Africa and Sicily during World War II and later in Asia during the Korean war. In total, he served in the Army for more than 20 years, remaining on Active Duty until 1964 and attaining the rank of sergeant first class. For his military service, Wolfe was awarded the Bronze Star, Purple Heart, and many other combat decorations.

Denman’s service to his country didn’t end once he left the military, however. Once marked, a Ranger serves for life. After settling in Arkansas after the war, Denman was called to work for his adopted State as a correctional officer, deputy sheriff, and election judge.

But his heart was always with the land, where he worked for many years as a rancher. Denman’s many friends and relatives remember him as an avid outdoorsman who spent his free time fishing, hunting, gardening, foraging—even winemaking.

Denman took special joy in sharing these hobbies with his family, including his wife, Kay, his two daughters, Lesa and Lori, and his many grandchildren and great-grandchildren. In Wolfe’s words, he was “the greatest of a great generation. It is fitting we honor him for his bravery at age 23 as a young private but also for a lifetime of service to his country and community. We honor him for his sake but also to hold up his life as an example of a time-service to his country and community. We honor him for his sake but also to hold up his life as an example of the American spirit.”

In every aspect of life, Rangers lead the way. Denman Wolfe took this motto to heart during his long life. Now he is leading the way again, going ahead of us to our eternal home. May he rest in peace.

**EXECUTIVE AND OTHER COMMUNICATIONS**

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3922. A communication from the Acting Director, Office of Management and Budget,
Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Final Sequestration Report to the President and Congress for Fiscal Year 2020"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC–3925. A communication from the Assistant Secretary, Office of Electricity, Department of Energy, pursuant to law, a report entitled, "Potential Benefits of High-Power, High-Capacity Batteries"; to the Committee on Appropriations.

EC–3926. A communication from the Assistant Secretary of the Navy (Research, Development, and Acquisition), transmitting, pursuant to law, a report entitled, "Conforming the Acceptable Separation Distance (ASD) Standards for Residential Propane Tanks to Industry Standards" (RIN20506–AC145) received in the Office of the President on February 4, 2020; to the Committee on Armed Services.

EC–3927. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Office of Legislation and Congressional Affairs, Department of Education, received in the Office of the President on the Senate on February 4, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–3928. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Acting Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, pursuant to law, the report of a rule entitled "Federal Register Notice of Approval of a State Plan for the Allocation and Use of 2020 and 2021 Annual Contributions of the Housing Trust Fund" (RIN25050–AC05) received in the Office of the President's Office on February 3, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–3929. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Office of Management and Budget, received in the Office of the President on the Senate on February 4, 2020; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time, and referred to the appropriate committees:

By Mr. MURPHY, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:
S. 2861. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the boarding process for new medical providers of the Department of Veterans Affairs, and for such other purposes.

By Mr. MURPHY, from the Committee on Veterans' Affairs, with an amendment:
S. 850. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of widely rural veterans.

By Mr. MURPHY, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:
S. 2863. A bill to require the Secretary of Veterans Affairs to carry out a pilot program on information sharing between the Department of Veterans Affairs and designated relatives and friends of veterans regarding the assistance and benefits available to the veterans, and for other purposes.

By Mr. MURPHY, from the Committee on Veterans' Affairs, with an amendment and an amendment to the title:
S. 3182. A bill to direct the Secretary of Veterans Affairs to carry out the Women's Health Transition Training pilot program through at least fiscal year 2020, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times, and referred to committees:

By Ms. WARREN (for herself, Mr. MURPHY, Mr. MENENDEZ, and Mr. BOOKER):
S. 3254. A bill to end the epidemic of gun violence and build safer communities by strengthening Federal firearms laws and supporting gun violence research, intervention, and prevention initiatives; to the Committee on Finance.

By Ms. WARREN (for herself, Mr. BROWN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Mr. MARKEY, Mr. HASSAN, Mr. SANDERS, Ms. HIRONO, Mr. PETERS, Ms. STABENOW, Ms. HARRIS, Mr. BOOKER, Mr. BLUMENTHAL, Mr. CARDIN, Ms. SMITH, and Ms. KLOBUCAR):
S. 3253. A bill to repeal the authority under the National Labor Relations Act for States to enact laws prohibiting agreements requiring membership in a labor organization as a condition of employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. VAN HOLLEN, Ms. BROWN, Mr. DURBIN, Mr. HARRIS, Mr. CARDIN, Mr. REED, Mr. BOOKER, Mrs. FEINSTEIN, Mr. MARKEY, Mr. SANDERS, Mr. WHITEHOUSE, Mr. MURPHY, Ms. KLOBUCAR, Ms. DUCKWORTH, Mr. LEAHY, Mr. SCHUMER, Ms. HIRONO, Mr. MENENDEZ, Mr. MURPHY, and Ms. WARREN):
S. 3256. A bill to permit employees to require changes to their work schedules without fear of retaliation and to ensure that employers consider these requests, and to require employers to provide predictable and stable schedules for employees in certain occupations with evidence of unpredictable and unstable scheduling practices that negatively affect employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself and Ms. BALDWIN):
S. 3257. A bill to designate the facility of the United States Postal Service located at 2001 E. Van Winkle Parkway, Franklin, Wisconsin, as the "Einar Sarge H. Ingman, Jr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER:
S. 3258. A bill to foster the implementation of the policy of the United States to achieve 355 battle force ships as soon as practicable; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TESTER (for himself, Mr. DAINES, Ms. CANTWELL, Ms. SMITH, Ms. WARRAN, Ms. MCNALLY, Mr. CRAMER, Ms. BALDWIN, Mr. UDAAL, Ms. KLOBUCHAR, Mr. ROUNDS, Mr. HENRICH, Mr. BARRASSO, Mr. HÚBERLY, Mrs. PISICHER, and Mr. THUNE):
S. Res. 492. A resolution designating the week beginning February 2, 2020, as "National Tribal Colleges and University Week"; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mrs. MURRAY, Ms. CANTWELL, Ms. MCSALLY, Ms. BALDWIN, Ms. STABENOW, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. ROSIN, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. GILLIBRAND, Ms. SINEMA, Mr. DUCKWORTH, Mrs. SHARENS, Ms. COLLINS, Ms. HARRIS, Mr. LEAHY, Ms. SMITH, Ms. HASSAN, and Ms. WARREN):
S. Res. 491. A resolution directing the Secretary of the Interior to report in writing by February 15, 2020, on the condition of employment, and for other purposes.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):
S. Res. 493. A resolution to authorize testimony, documents, and representation in United States v. Stahlecker; considered and agreed to.

ADDITIONAL COSPONSORS

At the request of Mr. DAINES, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 170, a bill to amend the Internal Revenue Code of 1986 to limit the amount of certain qualified conservation contributions.

At the request of Ms. HIRONO, the names of the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. BOOKER), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 277, a bill to posthumously present Congressional Gold Medal to Fred Korematsu, in recognition of his dedication to justice and equality.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:
S. 450. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the boarding process for new medical providers of the Department of Veterans Affairs, and for other purposes.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment:
S. 850. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:
S. 2861. A bill to require the Secretary of Veterans Affairs to carry out a pilot program on information sharing between the Department of Veterans Affairs and designated relatives and friends of veterans regarding the assistance and benefits available to the veterans, and for other purposes.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment and an amendment to the title:
S. 3182. A bill to direct the Secretary of Veterans Affairs to carry out the Women's Health Transition Training pilot program through at least fiscal year 2020, and for other purposes.
At the request of Mr. CARDIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

At the request of Mr. Moran, the names of the Senator from Indiana (Mr. SCOTT), the Senator from Delaware (Mr. COONS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the “Six Triple Eight.”

At the request of Mr. Coons, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 993, a bill to amend the Energy Conservation and Production Act to reauthorize the weatherization assistance program, and for other purposes.

At the request of Ms. HARRIS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

At the request of Mr. Casey, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Hawaii (Ms. HIRONO), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1392, a bill to establish a Federal Advisory Council to Support Victims of Gun Violence.

At the request of Ms. ERNST, the name of the Senator from Georgia (Mrs. LOEFPFEL) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

At the request of Mr. Casey, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1902, a bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

At the request of Ms. ROSEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2385, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2143, a bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes.

At the request of Ms. COLLINS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2322, a bill to amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

At the request of Mr. UDALL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2365, a bill to amend the Indian Health Care Improvement Act to authorize urban Indian organizations to enter into arrangements for the sharing of medical services and facilities, and for other purposes.

At the request of Mr. KENNEDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

At the request of Mr. ERNST, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2722, a bill to prohibit agencies from using Federal funds for publicity or propaganda purposes, and for other purposes.

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3095, a bill to develop voluntary guidelines for accessible post-secondary electronic instructional materials and related technologies, and for other purposes.

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3146, a bill to ensure a fair process for negotiations of collective bargaining agreements under chapter 71 of title 5, United States Code.

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 234, a resolution affirming the United States commitment to the two-state solution to the Israeli-Palestinian conflict, and noting that Israeli annexation of territory in the West Bank would undermine peace and Israel’s future as a Jewish and democratic state.

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 458, a resolution calling for the global repeal of blasphemy, heresy, and apostasy laws.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 491—DESIGNATING THE WEEK BEGINNING FEBRUARY 2, 2020, AS “NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK”**

Mr. TESTER (for himself, Mr. DAINES, Ms. CANTWELL, Ms. SMITH, Ms. WARREN, Ms. MCSALLY, Mr. CRAMER, Ms. BALDWIN, Mr. UDALL, Ms. KLOBUCHAR, Mr. ROUNDS, Mr. HEINRICH, Mr. BARRASSO, Mr. HOEVEN, Mrs. FISCHER, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas there are 37 Tribal Colleges and Universities operating on more than 75 campuses in 16 States;

Whereas Tribal Colleges and Universities are tribally chartered or federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas Tribal Colleges and Universities serve students from more than 230 federally recognized Indian tribes;

Whereas Tribal Colleges and Universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which—

1. enhances Indian communities; and

2. enriches the United States as a nation;

Whereas Tribal Colleges and Universities provide access to high-quality postsecondary educational opportunities for—

1. American Indians; and

2. Alaska Natives; and
(3) other individuals that live in some of the most isolated and economically depressed areas in the United States;

Whereas Tribal Colleges and Universities are institutions of higher education that prepare students to succeed in the global and highly competitive workforce;

Whereas Tribal Colleges and Universities have open enrollment policies, and approximately 15 percent of the students at Tribal Colleges and Universities are non-Indian individuals; and

Whereas the collective mission and the considerable achievements of Tribal Colleges and Universities deserve national recognition.

Now, therefore, be it

RESOLVED, the Senate—

(1) designates the week beginning February 2, 2020, as “National Tribal Colleges and Universities Week”;

(2) calls on the people of the United States and interested groups to observe National Tribal Colleges and Universities Week with appropriate activities and programs to demonstrate support for Tribal Colleges and Universities.

SENATE RESOLUTION 492—SUPPORTING THE OBSERVATION OF “NATIONAL GIRLS & WOMEN IN SPORTS DAY” ON FEBRUARY 5, 2020, AS “NATIONAL AWARENESS OF AND CELEBRATE THE ACHIEVEMENTS OF GIRLS AND WOMEN IN SPORTS

Mrs. FEINSTEIN (for herself, Mrs. MURRAY, Ms. CANTWELL, Ms. MCALIS, Ms. BALDWIN, Ms. STABENOW, Ms. CORTEZ MENDOZA, Mr. HARRY R. REID, Ms. SMITH, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. GILLIBRAND, Ms. SINEMA, Ms. DUCKWORTH, Mrs. SHAHEEN, Ms. COLLINS, Ms. HARRIS, Mr. LEAHY, Ms. SMITH, Ms. HASSAN, and Ms. WARR) submitted the following resolution, which was referred to the Committee on Commerce, Science, and Transportation:

S. Res. 492

Whereas athletic participation helps develop self-discipline, initiative, confidence, and leadership skills, and opportunities for athletic participation should be available to all individuals;

Whereas, because the people of the United States have come to expect opportunities that contribute to promoting equality, it is imperative to eliminate the existing disparities between male and female youth athletic programs;

Whereas the share of athletic participation opportunities of high school girls has increased more than sixfold since the enactment of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (referred to in this preamble as “title IX”), but high school girls still experience—

(1) a lower level of athletic participation opportunities than high school boys; and

(2) a lower level of athletic participation opportunities than high school boys enjoyed almost 50 years ago.

Whereas female participation in college sports has nearly tripled since the enactment of Title IX, but female college athletes still only comprise 44 percent of the total collegiate athlete population;

Whereas, in 1972, women coached more than 90 percent of collegiate women’s teams, but now less than 50 percent of all collegiate women teams, and there is a need to restore women to those positions to ensure fair representation and provide role models for female athletes;

Whereas the long history of women in sports in the United States—

(1) features many contributions made by female athletes that have enriched the national life of the United States; and

(2) includes inspiring figures, such as Gertrude Ederle, Wilma Rudolph, Althea Gibson, Mildred Elia “Babe” Didrikson Zaharias, and Patty Berg, who overcame difficult obstacles in their own lives—

(A) to advance participation by women in sports; and

(B) to set positive examples for the generations of female athletes who continue to inspire people in the United States today;

Whereas the United States must do all it can to support the bonds built between all athletes toward the barriers of discrimination, inequality, and injustice;

Whereas girls and young women in minority communities are doubly disadvantaged because—

(1) schools in minority communities have fewer athletic opportunities than schools in other communities; and

(2) the limited resources for athletic opportunities in minority communities are not evenly distributed between male and female students;

Whereas the 5-time World Cup champion United States Women’s National Soccer Team is leading the fight for equal pay for female athletes;

Whereas, pursuant to the recent enactment of laws such as the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115–129; 132 Stat. 318), Congress has taken steps—

(1) to protect female athletes from the crime of sexual abuse; and

(2) to empower athletes to report sexual abuse when they experience it;

Whereas, with increased participation by women and girls in sports, it is more important than ever to ensure the safety and well-being of all athletes by ensuring that they are not subjected to the crime of sexual abuse, which has harmed so many young athletes within youth athletic organizations; Now, therefore, be it

RESOLVED, That the Senate supports—

(1) observing “National Girls & Women in Sports Day” on February 5, 2020, to recognize—

(A) the female athletes who represent schools, universities, and the United States in their athletic pursuits; and

(B) the vital role that the people of the United States have in empowering girls and women in sports;

(2) marking the observation of National Girls & Women in Sports Day with appropriate programs and activities, including legislative efforts—

(A) to ensure equal pay for female athletes; and

(B) to protect young athletes from the crime of sexual abuse so that future generations of female athletes will not have to experience the pain that so many female athletes have had to endure; and

(3) all ongoing efforts—

(A) to promote equality in sports, including equal pay and equal access to athletic opportunities for girls and women; and

(B) to support the commitment of the United States to expanding athletic participation for all girls and future generations of women athletes.

SENATE RESOLUTION 493—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES V. STAHLNECKER

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. Res. 493

Whereas, in the case of United States v. Stahlhecker, Cr. No. 19–394, pending in the United States District Court for the Central District of California, the Government has requested the production of testimony, and, if necessary, documents from Sarah Harms, an employee of the office of Senator Sherrod Brown, Leah Uhrig, a former employee of that office, and Kylie Rutherford, an employee of the office of Senator Shelby Moore Capito;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative processes, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate. Now, therefore, be it

Resolved, That Sarah Harms and Leah Uhrig, current and former employees, respectively, of Senator Brown’s office, and Kylie Rutherford, a current employee of Senator Capito’s office, and any other current or former employee of the Senate offices from whom relevant evidence may be necessary, are authorized to testify and produce documents in the case of United States v. Stahlhecker, except concerning matters for which a privilege should be asserted.

S. Res. 2. The Senate Legal Counsel is authorized to represent any current or former employee of Senators Brown and Capito in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, I would like to send to the desk a resolution authorizing the production of testimony, documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns a request for evidence in a criminal action pending in California Federal district court. In this action, the defendant is charged with making threatening telephone calls last year to the Washington, D.C. offices of Senator SHERROD BROWN and Senator SHELLEY MOORE CAPITO. Trial is scheduled to commence on February 11, 2020.

The prosecution is seeking testimony at trial from three Senate witnesses who received the telephone calls at issue: current employees of Senator Brown’s and Senator Capito’s offices and a former employee of Senator Brown’s office. Senators Brown and Capito would like to cooperate with this request by providing relevant employee testimony, if necessary, documents from their offices.

The enclosed resolution would authorize those staffers, and any other...
current or former employee of the Senators' offices from whom relevant evidence may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders. Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing on the following nominations: Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 9:30 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a closed briefing.

AUTHORIZING TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES v. STAHLNECKER

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 493, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 493) to authorize testimony, documents, and representation in United States v. Stahlnecker.

There being no objection, the Senate proceeded to consider the resolution. Mr. McCONNELL. I ask unanimous consent that the preamble be agreed to, the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. 493) was agreed to. The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, FEBRUARY 6, 2020, AND MONDAY, FEBRUARY 10, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11:30 a.m. Thursday, February 6, for a pro forma session only, with no business being conducted; further, that when the Senate adjourns on Thursday, February 6, it next convene at 3 p.m. on Monday, February 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Brasher nomination; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during today’s session ripen at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:15 p.m., adjourned until Thursday, February 6, 2020 at 11:30 a.m.
EXTENSIONS OF REMARKS

REMEMBERING THOMAS J. MCKENNA
HON. HALEY M. STEVENS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. STEVENS. Madam Speaker, I rise today in memory of Tom McKenna, who passed away on December 11th after a courageous battle with two rare forms of leukemia at the age of 78.

Tom was born on August 11, 1941 in Chicago to Charles and Dorothy McKenna. He was a proud south-sider, an avid Notre Dame and Chicago Bears fan, and a passionate golfer.

Tom is survived by his wife Karin of 36 years, daughter Mary Kate Battles, son Matt McKenna, grandson Max Battles, daughter-in-law Joseph Battles, daughter-in-law Maggie Shine as well as his brothers Chuck, Dan and Jim, and many nieces and nephews. He also leaves behind many dear, wonderful golfing friends at Sand Creek Country Club and the many work friends he made over his 40-year career in the steel industry.

Tom will be remembered for being a fiercely loyal companion, father, grandfather and friend, and for his positive outlook on life. "Every day is a good day" was a phrase he said each day, which is a memory that will continue to inspire everyone who knew him.

HONORING BURKE DALTON
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Burke Dalton, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Burke has been very active with his troop, participating in many scout activities. Over the many years Burke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Burke has contributed to his community through his Eagle Scout project. Burke organized and sold memorabilia from the archives of Village of Jameson, Missouri, as a fundraiser for the Village.

Madam Speaker, I proudly ask you to join me in commending Burke Dalton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MARY BUTLER
HON. MIKE THOMPSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. THOMPSON of California. Madam Speaker, I rise today to honor Mary Butler and to celebrate her retirement after 27 years of public service to Napa County.

Ms. Butler began her career when she graduated from Sonoma State University with a Bachelor's in Psychology and a Master's in Counseling. Since then, her tenure has been marked by both practicality and purpose. As a crisis worker, she began her career managing children's mental health at the Child Welfare Services Court Unit and supervised behavioral health for their Mental Health Divisions.

In 2002, Ms. Butler led the Napa County Probation Department where she championed important issues like implementing Evidence Based Practice (EBP), a practice designed to identify and treat the reasons people commit crime, and was instrumental in the passing of AB 109, legislation that transferred jurisdiction of juvenile offenders from the state government to the county government. Her passion for restorative justice is a mark of compassion that has set the tone for the future of juvenile justice in Napa County and across the State of California.

As the President of the Chief Probation Officers of California, she was responsible for opening the Napa County Juvenile Justice Center. Through Ms. Butler's efforts and leadership, Napa County has effectively diverted youth offenders from juvenile hall and left significantly more juvenile hall beds empty. And now, after 17 years of service as the Chief Probation Officer, Ms. Butler is the current, longest-tenured Chief in the State of California.

As a Navy veteran, I know all too well the incredible sacrifices our veterans make while protecting America from dangers both foreign and domestic, often risking life and limb. Deltacon Global has gone above and beyond helping veterans successfully transition into the private sector at the conclusion of their service.

The Hire Medallion was awarded to Deltacon Global for their efforts recruiting, hiring and training veterans for their business. As a Navy veteran, I know all too well the incredible sacrifices our veterans make while protecting America from dangers both foreign and domestic, often risking life and limb. Deltacon Global has gone above and beyond helping veterans successfully transition into the private sector at the conclusion of their service.

Mr. OLSON. Madam Speaker, I rise today to congratulate Deltacon Global for earning the Hire Vets Medallion Demonstration Award.

As a Navy veteran, I know all too well the incredible sacrifices our veterans make while protecting America from dangers both foreign and domestic, often risking life and limb. Deltacon Global has gone above and beyond helping veterans successfully transition into the private sector at the conclusion of their service.

Mr. BOST. Madam Speaker, I rise today to honor Frank Owen of Carbondale, Illinois upon the celebration of his 100th birthday. Frank has lived an eventful and fruitful life filled with laughs, family, and a commitment to his country and community.

HONORING FRANK OWEN OF CARBONDALE, IL
HON. MIKE BOST
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. BOST. Madam Speaker, I rise today to honor Frank Owen of Carbondale, Illinois upon the celebration of his 100th birthday. Frank has lived an eventful and fruitful life filled with laughs, family, and a commitment to his country and community.

Born January 12, 1920, Frank has collected a century’s worth of memories, many of which began with his childhood in and around Carbondale. In fact, his family doctor had to trudge through snow on horseback to reach Frank’s mother in labor and help deliver the baby. When World War II broke out, Frank selflessly joined in the effort as a member of the U.S. Navy.

He is widely regarded as a great storyteller who loves to give back to his friends and neighbors. In years past, Frank has visited numerous local schools to tell students about his experiences during the Great Depression and teach them the lessons he learned along the way. He spent his recent birthday celebrating, drinking and eating with his children and dozens of friends at his local church. I can think of no better way to mark a milestone.

Madam Speaker, please join me in recognizing Frank Owen for this great milestone. On behalf of Southern Illinois, happy birthday.

CONGRATULATING DELTA CON GLOBAL FOR EARNING THE HIRE VETS MEDALLION DEMONSTRATION AWARD
HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. OLSON. Madam Speaker, I rise today to congratulate Deltacon Global for earning an Honoring Investments in Recruiting and Employing American Military Veterans (HIRE Vets) Medallion Program Demonstration Award.

As a Navy veteran, I know all too well the incredible sacrifices our veterans make while protecting America from dangers both foreign and domestic, often risking life and limb. Deltacon Global has gone above and beyond helping veterans successfully transition into the private sector at the conclusion of their service.
IN RECOGNITION OF SACRAMENTO AREA BUSINESS LEADERS

HON. DORIS O. MATSUI
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. MATSUI. Madam Speaker, I rise today to recognize the many outstanding business leaders in California’s Capital Region being honored at the Sacramento Metropolitan Chamber of Commerce’s 125th annual dinner and business awards ceremony. Those being honored are dedicated to the success of the region and have worked tirelessly to advance its economic vitality. I ask all my colleagues to join me in honoring these fine Sacramentans, and in thanking the Sacramento Metropolitan Chamber of Commerce for its tireless efforts to promote business in northern California.

Kevin Nagle, a businessman, key investor and CEO of the Sacramento Republic FC and minority owner of the Sacramento Kings, is being honored as the 2019 Sacramentan of the Year. Mr. Nagle has demonstrated his commitment to this city year after year, helping to ensure the Kings stayed in Sacramento and taking the Sacramento Republic FC from a startup team to a Major League Soccer organization. Mr. Nagle is a tremendous advocate and has brought a much-needed energy and vigor to our region.

James Beckwith, President & CEO of Five Star Bank since 2003 and Board of Director of the Greater Sacramento Economic Council, is the 2019 Businessman of the Year. Mr. Beckwith serves his clients with an entrepreneurial and empathetic spirit and believes in helping our region grow. Throughout his tenure with Five Star Bank, Mr. Beckwith has invested deeply in our community though not only Five Star Bank, but his involvement in the Sacramento Angels. His work has helped not only Five Star Bank grow but has facilitated success for numerous local startup ventures.

Patricia ‘Trish’ Rodriguez, Senior Vice President and Area Manager of Kaiser Permanente since 2010 is the 2019 Businesswoman of the Year. A longtime RN, Ms. Rodriguez is responsible for the provision of health care to more than 247,000 Kaiser Permanente members in the South Sacramento County area. Ms. Rodriguez works to improve not only community health, but economic health in our region and in addition to her Board role with the Sacramento Metro Chamber, is a Board Member for the American Heart Association.

The Salvation Army is being inducted into the Centennial Business Hall of Fame. Started in 1865, the Salvation Army aims to reach our most vulnerable community members through a variety of compassionate services. From youth programs, to adult rehabilitation centers, the Salvation Army provides services to community members at every stage of their lives. They have locations in virtually every section of the world, helping in over 100 countries.

Honey has been named the 2019 Small Business of the Year. Founded in 2008, the female-led design and marketing studio has expertise in food, beverage, and agriculture industries. Honey is committed to creating the best and most aesthetic designs for their clients and are passionate about their craft. They have been developing designs for over ten years for industries such as winemakers, restaurants, events, and cannabis.

Debra Oto-Kent, Founder and Executive Director of the Health Education Council, is receiving the 2019 Al Geiger Memorial Award. She founded the Council over twenty-eight years ago in order to reduce health disparities between communities. The Council builds partnerships with existing institutions in order to share resources and knowledge across the greater health community.

Bill Mueller, CEO of Valley Vision, is receiving the 2019 Peter McCuen Award for Civic Entrepreneurs. For thirteen years, Mr. Mueller has taken on complex challenges and has pushed community inspired and researched based solutions through his role of CEO. He has had a big role in improving the Sacramento area’s diverse communities.

Verna Sulpizio Hull, Director of Strategic Partnerships at Visit Sacramento, is the 2019 Metro EDGE Young Professional of the Year. Verna has been working to integrate local partnerships and businesses into Sacramento’s tourism economy allowing for higher revenues and a larger growth in Sacramento’s economy.

Madam Speaker, I am honored to recognize individuals and businesses for their contributions to the Sacramento region that I love. I ask all my colleagues to join me in commending them for their unwavering commitment to the Sacramento region.

CONGRATULATING ASHLEY LIN ON BECOMING A DISTINGUISHED FINALIST IN THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS PROGRAM

HON. JAIME HERRERA BEUTLER
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. HERRERA BEUTLER. Madam Speaker, I rise today to recognize and congratulate Ashley Lin of Vancouver, Washington, on becoming a distinguished finalist and top volunteer in the 2020 Prudential Spirit of Community Awards program. These annual awards were founded in 1995 to highlight individuals’ service to our communities, and to encourage younger members of this nation to continue this tradition early on and throughout their lives.

Ashley, a junior at Union High School in Southwest Washington, founded and runs the organization “Project Exchange.” This organization has been central in recruiting participants, designing curriculum, and securing funding to bring cross-cultural learning experiences to 250 middle and high school students from over 20 countries. She attributes the motivation to create this program to her time serving as a U.S. Youth Ambassador to Uruguay.

Once again, I want to extend my sincerest congratulations to Ashley on becoming a distinguished finalist in this program. I also applaud Ashley for bringing these opportunities to students from all over the world, and enhancing their educational experiences.

HONORING GABRIEL HACKING

HON. SAM GRAVES
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Gabriel Hacking. Gabriel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Gabriel has been very active with his troop, participating in many scout activities. Over the many years Gabriel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Gabriel has contributed to his community through his Eagle Scout project. Lachlan re-modeled the concession stand at Dockery Park in Gallatin, Missouri.

Madam Speaker, I proudly ask you to join me in commending Lachlan Charles Gibson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020
Mr. PASCRELL. Madam Speaker, I rise today to honor this year’s Dominicans on the Hill Day to recognize an invaluable member of the City of Passaic community, Chief of Police Luis Guzman. Chief Guzman is an accomplished, twenty-nine-year veteran of the City of Passaic Police Department, where he rose through the ranks to be appointed as the first ever Dominican-born Chief of Police of the City of Passaic on July 10, 2017.

Chief Guzman began his law enforcement career as a correction officer with the Passaic County Sheriff’s Department in January 1990. Later that year he was hired as a police officer by the City of Passaic, becoming the first Dominican-born officer in the city’s history. While in the New Jersey State Police Academy, he received the Distinguished Graduate Award for ranking at the top of his class. He served as a beat officer for the subsequent three years and a patrol officer for the next four before being assigned to the Detective Bureau in the Passaic County Sheriff’s Department as a criminal investigator.

In February 1996, Chief Guzman was promoted to Sergeant and assigned to supervise detectives, concurrently working in the patrol division of his department’s Community Policing Unit. In October 2004, he was promoted to Lieutenant, where he held the position of Commander of several patrol shifts, the Detective Bureau, and the Internal Affairs Division.

In September 2011, Chief Guzman was promoted to Captain and was assigned to command of all uniformed divisions. In October 2013, he was promoted to Deputy Chief and assigned to oversee the operations division. In July 2017, Chief Guzman was made the first ever Dominican-born Chief of Police in the City of Passaic, promoted by Mayor Hector Carlos Lora, also of Dominican heritage.

During his tenure at the helm of the Passaic Police Department, Chief Guzman has managed a department that has presided over a substantial reduction in crime. For over twenty-five years, Chief Guzman has given back to his community through one of his foremost passions, baseball. Chief Guzman has volunteered to coach youth baseball from T-ball to the American Legion League in the City of Passaic. He has regularly organized police softball and basketball games with members of the City of Passaic community.

Chief Guzman has further demonstrated his spirit of giving back through his time as an adjunct professor at Passaic County Community College, where he has taught Criminal Justice for the past fifteen years.

As Co-Chair of the Congressional Law Enforcement Caucus, I am honored to recognize Chief Luis Guzman, who has been a tremendous leader, mentor, and public servant in the City of Passaic.

Madam Speaker, I ask that you join our colleagues, Chief Guzman’s coworkers, family and friends, all those whose lives he has touched, and me, in recognizing the tireless dedication and steadfast service of Chief of Police Luis Guzman.
passed away Tuesday, January 14, 2020. A Vietnam veteran and renaissance man, Mayor Brooks served in the U.S. military for 30 years. His greatest legacy as mayor was establishing the Chandler Performing and Visual Arts Center, a welcoming and innovative performing arts venue that benefits our community together through arts and culture.

Jerrell W. Brooks was born in San Antonio, Texas, on November 23, 1930, to Marion and Viola Brooks. After moving to Arizona as a child, Brooks attended Phoenix Union High School. Just shy of graduation, Brooks enlisted in the U.S. Marines after being inspired by those who served in the second World War. After his discharge in 1950, Brooks returned to Arizona and completed a construction engineering degree at Arizona State University in 1954. Following graduation, he was commissioned in the U.S. Air Force through the university’s ROTC program. Brooks retired as a colonel after serving in Vietnam, in 1977 after 30 years of service.

Brooks moved to Chandler in his retirement and began to work on the idea that the city’s infrastructure could not keep pace with rapid growth and development in the community. It inspired him to become active in local politics. Brooks won a seat on the Chandler City Council in 1982 and was elected mayor just two years later. True to his word, during his four-year term as mayor, Mayor Brooks paved roads, built infrastructure, and annexed land in south Chandler to build new streets and utility infrastructure to serve future residents of the city.

His lasting legacy and the crown jewel of Chandler is the Chandler Performing and Visual Arts Center. Mayor Brooks advocated and fought for a performing arts center that would attract new employers, entertainers, and families to Chandler and transform a quiet agricultural town into a thriving, family-friendly, diverse and welcoming community. He lived to see his vision come to fruition. Future generations of Chandler residents will undoubtedly be affected by the cultural opportunities available in their own city thanks to Mayor Brooks’ vision for the Center.

Thank you to Mayor Brooks, and Godspeed.

RECOGNIZING THE 30TH ANNIVERSARY OF VISIT HUNTINGTON BEACH

HON. HARLEY ROUDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. ROUDA. Madam Speaker, I rise today to recognize and congratulate Visit Huntington Beach on the celebration of its 30th Anniversary and the opening of a new office.

Visit Huntington Beach was formed in 1989 as a destination marketing program and has grown into the only local organization charged with the responsibility of promoting tourism and encouraging its continued growth in the City. Its mission is to use Huntington Beach’s Surf City USA brand to maintain the City’s status as the quintessential California beach destination. Since its founding thirty years ago, Visit Huntington Beach has successfully lived up to this mission and showed the wonders of Huntington Beach to the country and the world.

In 2018 alone, overnight visitors generated nearly $20 million for the City’s general fund. This revenue is vital to funding critical community services, such as police, fire, public works, and parks.

I ask all Members to join me in recognizing the extraordinary work and contributions of Visit Huntington Beach for its efforts to ensure a better and more efficient experience for both visitors and residents of Huntington Beach.

HONORING CARLETON D. NASH III
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Carleton D. Nash III. Carleton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Carleton has been very active with his troop, participating in many scout activities. Over the many years Carleton has been involved, he has earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Carleton has contributed to his community through his Eagle Scout project. Carleton constructed a playground for Cainsville R–1 Preschool in honor of his mother and Madam Speaker, I proudly ask you to join me in commending Carleton D. Nash III for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HON. FRANK PALLONE, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. PALLONE. Madam Speaker, I include in the RECORD an exchange of correspondence between myself and Chairman BENNIE THOMPSON acknowledging the Committee on Homeland Security’s agreement to waive consideration of H.R. 3851 that did not in any way diminish or alter the Committee’s jurisdiction on this or similar legislation in the future.

HOUSE OF REPRESENTATIVES
COMMITTEE ON HOMELAND SECURITY

Hon. Frank Pallone,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Chairman Pallone:
I write to you regarding H.R. 3851, the “Travel Promotion, Enhancement, and Modernization Act of 2019.”

H.R. 3851 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I share your interest in seeing this legislation implemented and accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

I would also ask that a copy of this letter and your response be included in the legislative report on H.R. 3851 and in the Congressional Record.

I look forward to working with you on this and other important legislation in the future.

Sincerely,

Bennie G. Thompson,
Chairman.

CONGRATULATING LORI CHRISTIAN ON BECOMING A DISTINGUISHED FINALIST IN THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS PROGRAM

HON. JAIME HERRERA BEUTLER
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Ms. HERRERA BEUTLER. Madam Speaker, I rise today to recognize and congratulate Lori Christian of Chehalis, Washington, on becoming a distinguished finalist and top volunteer in the 2020 Prudential Spirit of Community Awards program.

These annual awards were founded in 1995 to highlight individuals’ service to our communities, and to encourage younger members of this nation to continue the tradition early on and throughout their lives. Lori, a junior at “William F. West High School” in Southwest Washington, founded the organization “Teens for Abused Children (TAC),” which works withCASES AND Child Protective Services to assist with cases involving abused children. Lori has also worked independently to raise awareness for related issues. She has also organized community toy, clothing, and diaper drives.

Once again, I want to extend my sincerest congratulations to Lori Christian, a distinguished finalist in this program and applaud Lori’s commitment to improving her community.
HONORING JONATHAN FARRELL STOOR

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Jonathan Farrell Stoor. Jonathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Jonathan has been very active with his troop, participating in many scout activities. Over the many years Jonathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jonathan has contributed to his community through his Eagle Scout project. Jonathan worked in Ketren Cemetery in Gallatin, Missouri, mowing the lawn, cleaning up the property, repaired broken headstones, and logged the gravestones into an online portal for genealogical researchers.

Madam Speaker, I proudly ask you to join me in commending Jonathan Farrell Stoor for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JANICE DUNNE FOR HER DEDICATED SERVICE TO THE COMMUNITY

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. HIGGINS of New York. Madam Speaker, the Erie County Democratic Committee will gather on Friday, February 7th to honor Janice Dunne with the Joseph F. Crangle Legacy Award. The award is named for our legendary former county and state chairman and is the gold standard for local Democrats; it rightfully raises Janice’s name among the great leaders of our party and commemorates her service to town government in 1999. Even though she was no longer working directly in local government, Janice’s passion for public service did not wane.

Janice went on to serve as a delegate in multiple National Democratic Conventions. Janice was elected to attend to New York City in 1992 to be a delegate for Jerry Brown. Eight years later, she ran again and was elected to attend the convention in Los Angeles as a delegate for Bill Bradley. She was reelected once more in 2008 to be a delegate for then-Senator Obama and to attend the 2008 National Democratic Convention in Denver.

Although she has officially retired, Janice still spends her time serving the community as one of the founding members of the Eggertsville Community Organization. As a member of the ECO Steering Committee, Janice works to revitalize Eggertsville by enforcing often ignored building codes and partnering with the Town of Amherst to begin the construction of a community center in Eggertsville. Beyond these efforts, she is a clerk at the local Board of Elections and serves as a member of the Amherst Democratic Committee and the Erie County Executive Committee.

Janice accumulated a lifetime’s worth of accomplishments while simultaneously raising two beautiful daughters: Valerie, an accomplished local photographer, and Tricia, who works in the Erie County Probation Office. Janice’s dedication to her country, her community, her family, and her party represents all that is great about Western New York, and I am thankful for the opportunity to honor her and to have the House take note of the many positive contributions she has made throughout our community.

LIFE AND LEGACY OF HON. JOHN BUCKNER

HON. JOE NEGUSE
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. NEGUSE. Madam Speaker, the Cherry Creek Schools Board of Education recently named the Honorable John Buckner as one of the newest inductees to the Legacy Stadium Hall of Fame. This honor is so very well-earned, and I join in the newest inductees to the Legacy Stadium Hall of Fame.

HON. JERROLD NAGLE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. NAGLE. Madam Speaker, the Cherry Creek Schools Board of Education recently named the Honorable John Buckner as one of the newest inductees to the Legacy Stadium Educational Leadership Wall of Fame. This honor is so very well-earned, and I join in the Cherry Creek Schools’ lauding of Mr. Buckner’s life and legacy.

State Representative Buckner served as a principal in Colorado schools for decades and was a lifelong advocate for equal access to meaningful education for every student across our state, including by leading his district’s work in the areas of equity and inclusive excellence and as Chair of the House Education Committee. He carried these values not only as a school administrator, but also throughout his time as a member of the Colorado State House. As one example of his countless substantial contributions, in the 2014 state legislative session he sponsored the annual school finance bill and successfully increased funding for English language learners and created an additional 5,000 pre-K and full-day kindergarten slots for at-risk children.

Rep. Buckner was a mentor to countless Coloradans, myself included. He served his community with dedicated grace and thoughtful policymaking, and set an example for what steadfast, meaningful leadership looks like for so many future leaders. That legacy continues each day through Rep. Buckner’s wife Janet who, since his passing in 2015, has held his State House seat and taken up the mantle on countless issues that John championed.

I am so pleased that Rep. Buckner is receiving this well-earned honor, and I join in this recognition alongside so many people and organizations in Colorado who continue to benefit from the leadership he demonstrated each and every day.

IN RECOGNITION OF MRS. ANNE COX CHAMBERS UPON HER DEATH

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. JOHNSON of Georgia. Madam Speaker, I want to recognize the life and accomplishments of Anne Cox Chambers, who passed away on Friday, January 31, 2020, at the age of 100.

Mrs. Anne Cox Chambers was a member of the namesake Atlanta-based media company, Cox Enterprises—an instrumental medium for news reporting, talk shows, music, and sports in Georgia and across the country. She took on a leadership role in Cox as a member of the Cox Board of Directors and as the chairwoman of Atlanta Newspapers.

She took her knowledge and expertise from those roles to pave new roads for women in Georgia: She became Atlanta’s first female bank director when she joined the board of Fulton National Bank, and she was the first woman to serve as a director of the Atlanta Chamber of Commerce.

During her life, she chose to give back every way she could, becoming a philanthropist for causes close to her heart. Mrs. Chambers supported institutions that many Atlantans enjoy today, like the Atlanta Symphony Orchestra, the Atlanta Botanical Garden, the Atlanta Speech School, the High Museum of Art, and the Atlanta Humane Society. Her support for the latter culminated in the honor of its annual award bearing her name, the Anne Cox Chambers Humane Heroine award.

Anne embodied what it meant to be a public servant. Under President Jimmy Carter, she was appointed Ambassador to Belgium. Her work led to a stronger relationship between the United States, Georgia, and Belgium. Belgium’s King Baudouin I recognized her contributions by presenting her with the Order of the Crown, one of Belgium’s highest honors.

While Mrs. Chambers may be gone, her legacy will not be forgotten. Her love and service for Georgia and her country were inspirational and her leadership as a woman paved the way for other women who will come after her. She set an example for us all of what it means to be someone who gives more to others than she takes in return.

I want to offer my deepest condolences to the extended family and friends of Anne Cox Chambers during this time.
HONORING DR. AMARJIT SINGH MARWAH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Kerry Smith for her exceptional public service to the young people of Lake County, California and to honor her as the Lake County Teacher of the Year.

Ms. Smith was born and raised in Lake County, California. She graduated from Kelseyville High School before earning her AA in Child Development at Santa Rosa Junior College. She attended Sonoma State University, where she graduated with a degree in Environmental Studies and a Multiple Subject Teaching Credential with an emphasis in early childhood education. These outstanding credentials coupled with her passion and diligence enable Ms. Smith to connect with her students and enlarge their understanding.

Kerry Smith is outstanding in many ways. As a Resource Teacher for students grades six through eight at Mountain Vista Middle School, it is Ms. Smith’s responsibility to provide support to students who need additional help in math. In this role, she has spearheaded a model that allows a collaboration of math teachers to help struggling students. This approach has been so successful that nearly all her students are no longer in need of additional help and are performing well in their respective math classes. She not only has the instructional skills required to be a highly effective teacher, but also holds those intangible qualities that are at the heart of a successful educator. She is beloved by her students, often described as funny, kind, exciting, friendly, and positive.

Ms. Smith is a natural leader. She has mentored many new educators throughout her career and continues to inspire those around her with her joyful attitude and dedication to her students. Teachers travel from across the school district to observe Ms. Smith in her classroom and they always leave impressed. She is the model of a lifelong learner, one that is constantly striving to improve her own practice and eager to try a new approach.

Madam Speaker, there is not another individual who exemplifies the profession of teaching better than Kerry Smith. It is there-}

HONORING KERRY SMITH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

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RECOGNIZING AIDAN COHEN AS CONSTITUENT OF THE MONTH
HON. MIKE LEVIN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2020

Mr. LEVIN of California. Madam Speaker, it’s my honor to recognize 17-year old North County resident, Aidan Cohen, as my Constituent of the Month for January. In a moment of quick instinct, Aidan heroically rushed to help his next door neighbor, pulling him from his burning home and saving his life.

On the evening of December 12, 2019, Aidan Cohen and his older brother Ryan were enjoying a late-night snack when the power suddenly went out. Soon after, the brothers heard an explosion and rushed outside to find their next door neighbor’s home engulfed in flames.

The brothers shouted the owner’s name, but received no response. Overcome by smoke he had collapsed on the hallway floor. Aidan spotted him through a window, and without hesitation, broke the back door open and pulled the neighbor out to safety.

Everyone involved was grateful for our local first responders who were on the scene minutes later to administer first aid to the neighbor and save Aidan’s family home.

I launched a Constituent of the Month program to recognize individuals who have gone above and beyond to make our region a stronger place for everyone to live and thrive. Aidan’s selflessness is an extraordinary reminder that in severe times of need, setting aside our own fears is another is a crucial foundation of community. I thank Aidan for being an exemplary model of true
definition of the CONGRESSIONAL RECORD...

MEETINGS SCHEDULED
FEBRUARY 11

9:30 a.m.
Committee on Armed Services

To hold hearings to examine United States strategy in Afghanistan. SD–342

10 a.m.
Committee on Commerce, Science, and Transportation

To hold hearings to examine a roadmap for effective cybersecurity, focusing on what states, locals, and the business community should know and do. SD–342

2:30 p.m.
Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the state of intercollegiate athlete compensation. SD–106

Committee on the Judiciary

To hold hearings to examine ensuring appropriate medical care for children. SD–226

Committee on Homeland Security and Governmental Affairs

Subcommittee on Federal Spending Oversight and Emergency Management

To hold hearings to examine the Afghanist- SD–342

Committee on the Judiciary

Subcommittee on Intellectual Property

To hold hearings to examine the Digital Millennium Copyright Act at 22, focusing on what it is, why was it enacted, and where we are now. SD–226
FEBRUARY 12

9:30 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine protecting the United States from global pandemics.
SD-342

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the Semi-annual Monetary Policy Report to the Congress.
SD-538

Committee on Commerce, Science, and Transportation
To hold hearings to examine space missions of global importance, focusing on planetary defense, space weather protection, and space situational awareness.
SH-216

Committee on the Judiciary
To hold hearings to examine pending nominations.
SD-226

10:15 a.m.
Committee on Foreign Relations
To hold hearings to examine United States-Libya policy.
SD-419

FEBRUARY 13

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the nominations of Jessie K. Liu, of Virginia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury, and Judy Shelton, of California, and Christopher Waller, of Minnesota, both to be a Member of the Board of Governors of the Federal Reserve System.
SD-538

FEBRUARY 25

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine surface transportation reauthorization, focusing on public transportation stakeholders' perspectives.
SD-538
HIGHLIGHTS

Senate sitting as a Court of Impeachment adjudged President Trump not guilty as charged in Impeachment Articles I and II.

Senate

Chamber Action

Routine Proceedings, pages S871–S945

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 3254–3258, and S. Res. 491–493.

Page S942

Measures Passed:

Authorizing Testimony, Documents, and Representation: Senate agreed to S. Res. 493, to authorize testimony, documents, and representation in United States v. Stahlnecker.

Page S945

Measures Considered:

Impeachment of President Trump: Senate, sitting as a Court of Impeachment, resumed consideration of the articles of impeachment against Donald John Trump, President of the United States, taking the following actions:

Pages S936–39

Article I, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency. (Vote No. 33) 48 guilty, 52 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article.

Pages S937–38

Article II, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its “sole Power of Impeachment”. President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution. (Vote No. 34) 47 guilty, 53 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article.

Pages S937–38

The Senate, having tried Donald John Trump, President of the United States, upon two articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained therein: it is, therefore, ordered and adjudged that the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles.

Page S938

Ordered, that the Secretary of the Senate be directed to communicate to the Secretary of State, as provided by Rule XXIII of the Rules of Procedure and Practice in the Senate. When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of Donald John Trump, and transmit a certified copy of the judgment to each.

Page S938

The Court of Impeachment adjourned sine die at 4:42 p.m.

Page S939

Brasher Nomination—Cloture: Senate began consideration of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Page S939

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Wednesday, February 5, 2020, a vote
on cloture will occur at 5:30 p.m., on Monday, February 10, 2020.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination.  

A unanimous-consent agreement was reached providing that at approximately 3:00 p.m., on Monday, February 10, 2020, Senate resume consideration of the nomination; and that notwithstanding the provisions of Rule XXII, the cloture motions filed on Wednesday, February 5, 2020 ripen at 5:30 p.m. on Monday, February 10, 2020.

Kindred Nomination—Cloture: Senate began consideration of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Schelp Nomination—Cloture: Senate began consideration of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Kness Nomination—Cloture: Senate began consideration of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Halpern Nomination—Cloture: Senate began consideration of the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Executive Communications:

Additional Cosponsors:

Additional Statements:

Authorities for Committees to Meet:

Record Votes: Two record votes were taken today. (Total—34)

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:15 p.m., until 11:30 a.m. on Thursday, February 6, 2020. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S945.)

Committee Meetings

(Committees not listed did not meet)

ATHLETE SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine athlete safety and the integrity of U.S. Sport, after receiving testimony from Ju'Riese Colon, U.S. Center for SafeSport, Denver, Colorado; Tory Lindley, Northwestern University, Carrollton, Texas, on behalf of the National Athletic Trainers’ Association; and Travis T. Tygart, United States Anti-Doping Agency, Colorado Springs, Colorado.
FISH AND WILDLIFE SERVICE OVERSIGHT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the Fish and Wildlife Service, after receiving testimony from Robert Wallace, Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, who was introduced by Senator Alexander, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board, after the nominees testified and answered questions in their own behalf.

VA MISSION ACT

Committee on Veterans’ Affairs: Committee concluded a hearing to examine the VA MISSION Act, focusing on the implementation of the Community Care Network, after receiving testimony from Richard A. Stone, Executive in Charge, Kameron Matthews, Assistant Under Secretary for Health for Community Care, and Jennifer MacDonald, VA MISSION Act Lead, all of the Veterans Health Administration, Department of Veterans Affairs; Adrian Atizado, Disabled American Veterans Deputy National Legislative Director, Washington, D.C.; Lieutenant General Patricia D. Horoho, USA (Ret.), OptumServe, Falls Church, Virginia; and David J. McIntyre, Jr., TriWest Healthcare Alliance, Phoenix, Arizona.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 5756–5767; and 2 resolutions, H. Con. Res. 87; and H. Res. 832, were introduced.

Additional Cosponsors:

Reports Filed: Reports were filed today as follows:

- H.R. 3941, to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes, with an amendment (H. Rept. 116–391); and

- H. Res. 833, providing for consideration of the resolution (H. Res. 826) expressing disapproval of the Trump administration’s harmful actions towards Medicaid; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; and providing for consideration of the bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes (H. Rept. 116–392).

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today.

Recess: The House recessed at 11 a.m. and reconvened at 12 noon.

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Seth Frisch, New Shul of America, Rydal, Pennsylvania.

Suspensions: The House agreed to suspend the rules and pass the following measures:

- Puppies Assisting Wounded Servicemembers for Veterans Therapy Act: H.R. 4305, amended, to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy;

- Protect and Restore America’s Estuaries Act: H.R. 4044, amended, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, by a 2/3 yea-and-nay vote of 355 yeas to 62 nays, Roll No. 35;

- San Francisco Bay Restoration Act: H.R. 1132, amended, to amend the Federal Water Pollution
Control Act to establish a grant program to support the restoration of San Francisco Bay; Pages H785–88

Promoting United Government Efforts to Save Our Sound Act: H.R. 2247, amended, to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound; Pages H788–96

Chesapeake Bay Program Reauthorization Act: H.R. 1620, amended, to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; Pages H796–99

Great Lakes Restoration Initiative Act of 2019: H.R. 4031, to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, by a ⅔ yea-and-nay vote of 373 yea s to 45 nays, Roll No. 36; Pages H799–H805, H833–34

Amending the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program: H.R. 4275, amended, to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program; Pages H805–06

Representative Payee Fraud Prevention Act: H.R. 5214, to amend title 5, United States Code, to prevent fraud by representative payees; Pages H806–08

Taxpayers Right-To-Know Act: H.R. 3830, amended, to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory; Pages H808–11

USPS Fairness Act: H.R. 2382, to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, by a ⅔ yea-and-nay vote of 309 yeas to 106 nays, Roll No. 37; Pages H811–15, H834–35


Payment Integrity Information Act: S. 375, to improve efforts to identify and reduce Government-wide improper payments; Pages H819–25

Presidential Transition Enhancement Act: S. 394, to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions; Pages H825–27

Designating the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the “Aretha Franklin Post Office Building”: H.R. 3976, to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the “Aretha Franklin Post Office Building”; Pages H827–28

Designating the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the “Mother Frances Xavier Cabrini Post Office Building” ; H.R. 4794, to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the “Mother Frances Xavier Cabrini Post Office Building”; Pages H828–29

Designating the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the “Julius L. Chambers Civil Rights Memorial Post Office”: H.R. 4981, to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the “Julius L. Chambers Civil Rights Memorial Post Office”; Pages H829–30

Designating the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the “Walter B. Jones, Jr. Post Office” : H.R. 5037, to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the “Walter B. Jones, Jr. Post Office”; Pages H830–31

Permitting the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones: H.R. 3317, to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones; Pages H831–32

Designating the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the “Melinda Gene Piccotti Post Office”: H.R. 4799, to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the “Melinda Gene Piccotti Post Office”; Pages H832–33

Making a technical correction to the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act: The House agreed to discharge from committee
and agree to H. Res. 812, making a technical correction to the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act.

Providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution: The House agreed to discharge from committee and pass S.J. Res. 65, providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution: The House agreed to discharge from committee and pass S.J. Res. 67, providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Privileged Resolution—Intent to Offer: Representative Granger announced her intent to offer a privileged resolution.

Senate Message: Message received from the Senate today appears on pages H835–36.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H833, H834, and H834–35. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:36 p.m.

Committee Meetings

SUPERCHARGING THE INNOVATION BASE
Committee on Armed Services: Future of Defense Task Force held a hearing entitled “Supercharging the Innovation Base”. Testimony was heard from public witnesses.

EXCEPTIONAL FAMILY MEMBER PROGRAM—ARE THE MILITARY SERVICES REALLY TAKING CARE OF FAMILY MEMBERS?
Committee on Armed Services: Subcommittee on Military Personnel held a hearing entitled “Exceptional Family Member Program—Are the Military Services Really Taking Care of Family Members?”. Testimony was heard from Carolyn Stevens, Director, Office of Military Family Readiness Policy, Department of Defense; Captain Edward Simmer, U.S. Navy, Chief Clinical Officer, TRICARE Health Plans, Defense Health Agency, Department of Defense; Colonel Steve Lewis, U.S. Army, Deputy Director, DA Quality of Life Task Force and DA Family Advocacy Program Manager, U.S. Army; Ed Cannon, Director, Fleet and Family Readiness, Commander, U.S. Navy Installations Command; Norma Inabinet, Deputy Director, Military Personnel Programs, U.S. Air Force Personnel Center; Jennifer Stewart, Manager, Exceptional Family Member Program, Headquarters, U.S. Marine Corps; Jackie Nowicki, Director, K–12 Education, Government Accountability Office; and public witnesses.

UPDATE ON NAVY AND MARINE CORPS READINESS IN THE PACIFIC IN THE AFTERMATH OF RECENT MISHAPS
Committee on Armed Services: Subcommittee on Seapower and Projection Forces; and Subcommittee on Readiness held a joint hearing entitled “Update on Navy and Marine Corps Readiness in the Pacific in the Aftermath of Recent Mishaps”. Testimony was heard from Vice Admiral Richard A. Brown, Commander, Naval Surface Forces, U.S. Pacific Fleet; and Lieutenant General Steven R. Rudder, U.S. Marine Corps, Deputy Commandant for Aviation, U.S. Marine Headquarters.

OVERSIGHT HEARING ON DOE’S ROLE IN ADVANCING BIOMEDICAL SCIENCES
Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled “Oversight Hearing on DOE’s Role in Advancing Biomedical Sciences”. Testimony was heard from Narayanan Kasthuri, Neuroscientist, Argonne National Laboratory, Department of Energy; and public witnesses.

STRENGTHENING COMMUNITY RECYCLING PROGRAMS: CHALLENGES AND OPPORTUNITIES
Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “Strengthening Community Recycling Programs: Challenges and Opportunities”. Testimony was heard from Peter Wright, Assistant Administrator, Office of Land and Emergency Management, Environmental Protection Agency; and public witnesses.

THE FUTURE OF WORK: PROTECTING WORKERS’ CIVIL RIGHTS IN THE DIGITAL AGE
Committee on Education and Labor: Subcommittee on Civil Rights and Human Services held a hearing entitled “The Future of Work: Protecting Workers’ Civil Rights in the Digital Age”. Testimony was heard from public witnesses.
MODERNIZING THE NATURAL GAS ACT TO ENSURE IT WORKS FOR EVERYONE

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled “Modernizing the Natural Gas Act to Ensure it Works for Everyone”. Testimony was heard from public witnesses.

VAPING IN AMERICA: E-CIGARETTE MANUFACTURERS’ IMPACT ON PUBLIC HEALTH

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Vaping in America: E-Cigarette Manufacturers’ Impact on Public Health”. Testimony was heard from public witnesses.

RENT-A-BANK SCHEMES AND NEW DEBT TRAPS: ASSESSING EFFORTS TO EVADE STATE CONSUMER PROTECTIONS AND INTEREST RATE CAPS

Committee on Financial Services: Full Committee held a hearing entitled “Rent-A-Bank Schemes and New Debt Traps: Assessing Efforts to Evade State Consumer Protections and Interest Rate Caps”. Testimony was heard from Monique Limon, Chair, Banking and Finance Committee, State Assembly, California; and public witnesses.

A FUTURE WITHOUT PUBLIC HOUSING? EXAMINING THE TRUMP ADMINISTRATION’S EFFORTS TO ELIMINATE PUBLIC HOUSING

Committee on Financial Services: Subcommittee on Housing, Community Development, and Insurance held a hearing entitled “A Future Without Public Housing? Examining the Trump Administration’s Efforts to Eliminate Public Housing”. Testimony was heard from Ann Gass, Director of Strategic Housing Initiatives, Housing Authority of the City of Austin, Texas; Bobby Collins, Executive Director, Housing Authority of the City of Shreveport, Louisiana; Eugene Jones, Jr., President and Chief Executive Officer, Atlanta Housing Authority, Georgia; and public witnesses.

UNIQUE CHALLENGES WOMEN FACE IN GLOBAL HEALTH

Committee on Foreign Affairs: Full Committee held a hearing entitled “Unique Challenges Women Face in Global Health”. Testimony was heard from Chairman Lowey and Representative Rodgers of Washington; and public witnesses.

THE WUHAN CORONAVIRUS: ASSESSING THE OUTBREAK, THE RESPONSE, AND REGIONAL IMPLICATIONS

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and Nonproliferation held a hearing entitled “The Wuhan Coronavirus: Assessing the Outbreak, the Response, and Regional Implications”. Testimony was heard from public witnesses.

THE NORTHERN NORTHERN BORDER: HOMELAND SECURITY PRIORITIES IN THE ARCTIC, PART II

Committee on Homeland Security: Subcommittee on Transportation and Maritime Security held a hearing entitled “The Northern Northern Border: Homeland Security Priorities in the Arctic, Part II”. Testimony was heard from Admiral Charles Ray, Vice Commander, U.S. Coast Guard; Michael Murphy, Deputy Assistant Secretary for European and Eurasian Affairs, Department of State; and Marie Mak, Director for Contracting and National Security Acquisitions, Government Accountability Office.

OVERSIGHT OF THE SMITHSONIAN INSTITUTION: OPPORTUNITIES FOR GROWTH BY HONORING LATINO AMERICANS AND ASIAN PACIFIC AMERICANS

Committee on House Administration: Full Committee held a hearing entitled “Oversight of the Smithsonian Institution: Opportunities for Growth by Honoring Latino Americans and Asian Pacific Americans”. Testimony was heard from Representatives Serrano, Meng, and Hurd; Lonnie G. Bunch III, Secretary, Smithsonian Institution; Lisa Sasaki, Director, Smithsonian Asian Pacific American Center, Smithsonian Institution; Eric Petersen, Specialist in American National Government, Congressional Research Service, Library of Congress; and public witnesses.

OVERSIGHT OF THE FEDERAL BUREAU OF INVESTIGATION

Committee on the Judiciary: Full Committee held a hearing entitled “Oversight of the Federal Bureau of Investigation”. Testimony was heard from Christopher A. Wray, Director, Federal Bureau of Investigation.

LEGISLATIVE MEASURE

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 5598, the “Boundary Waters Wilderness Protection and Pollution Prevention Act”. Testimony was heard from Representative McCollum; Chris French, Deputy Chief, National Forest System, Department of Agriculture; Leah Baker, Associate State Director,
Bureau of Land Management Eastern States, Department of the Interior; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee for Indigenous Peoples of the United States held a hearing on H.R. 4059, to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, and for other purposes; H.R. 4495, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes; H.R. 4888, to amend the Grand Ronde Reservation Act, and for other purposes; and H.R. 5153, the “Indian Buffalo Management Act”. Testimony was heard from Darryl LaCounte, Director, Bureau of Indian Affairs, Department of the Interior; Randy Grinnell, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services; and public witnesses.

A THREAT TO AMERICA’S CHILDREN? THE TRUMP ADMINISTRATION’S PROPOSED CHANGES TO THE POVERTY LINE CALCULATION

Committee on Oversight and Reform: Subcommittee on Government Operations held a hearing entitled “A Threat to America’s Children: The Trump Administration’s Proposed Changes to the Poverty Line Calculation”. Testimony was heard from Representatives Ocasio-Cortez and Miller; and public witnesses.

A THREAT TO AMERICA’S CHILDREN: THE TRUMP ADMINISTRATION’S PROPOSAL TO GUT FAIR HOUSING ACCOUNTABILITY

Committee on Oversight and Reform: Subcommittee on Civil Rights and Civil Liberties held a hearing entitled “A Threat to America’s Children: The Trump Administration’s Proposal to Gut Fair Housing Accountability”. Testimony was heard from Ellen Lee, Director of Community and Economic Development, New Orleans, Louisiana; and public witnesses.

PROTECTING THE RIGHT TO ORGANIZE ACT OF 2019; EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF AND PUERTO RICO DISASTER TAX RELIEF ACT, 2020; EXPRESSING DISAPPROVAL OF THE TRUMP ADMINISTRATION’S HARMFUL ACTIONS TOWARDS MEDICAID

Committee on Rules: Full Committee held a hearing on H.R. 2474, the “Protecting the Right to Organize Act of 2019”; H.R. 5687, the “Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020”; and H. Res. 826, expressing disapproval of the Trump administration’s harmful actions towards Medicaid. The Committee granted, by record vote of 9–4, a rule providing for consideration of H. Res. 826, the “Protecting the Right to Organize Act of 2019”, H.R. 2474, the “Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020”, and H.R. 5687, Expressing disapproval of the Trump administration’s harmful actions towards Medicaid. The rule provides for consideration of H. Res. 826, Expressing disapproval of the Trump administration’s harmful actions towards Medicaid, under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the resolution. The rule provides that the resolution shall be considered as read. The rule provides for consideration of H.R. 2474, the “Protecting the Right to Organize Act of 2019”, under a structured rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part B of the Rules Committee report accompanying the resolution. Each amendment made in order 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. The rule waives all points of order against the amendments printed in Part B of the report. The rule provides one motion to recommit with or without instructions. The rule provides for consideration of H.R. 5687, the “Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020”, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall
be considered as read. The rule waives all points of order against provisions in the bill and provides that clause 2(e) of Rule XXI shall not apply during consideration of the bill. The rule makes in order only those amendments printed in Part C of the Rules Committee report. Each such 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 the amendments printed in Part C of the report are waived. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Pallone, Chairman Lowey, Chairman Scott of Virginia, and Representatives Walden, Rodgers of Washington, Granger, Suozzi, Rice of South Carolina, Graves of Louisiana, and Foxx.

MANAGEMENT AND SPENDING CHALLENGES WITHIN THE DEPARTMENT OF ENERGY’S OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight; and Subcommittee on Energy held a joint hearing entitled “Management and Spending Challenges within the Department of Energy’s Office of Energy Efficiency and Renewable Energy”. Testimony was heard from Daniel Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

AMERICA’S SEED FUND: A REVIEW OF SBIR AND STTR

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled “America’s Seed Fund: A Review of SBIR and STTR”. Testimony was heard from Dawn Tilbury, Assistant Director, Directorate of Engineering, National Science Foundation; and public witnesses.

SBA MANAGEMENT REVIEW: OFFICE OF CREDIT RISK MANAGEMENT

Committee on Small Business: Full Committee held a hearing entitled “SBA Management Review: Office of Credit Risk Management”. Testimony was heard from Susan E. Streich, Director, Office of Credit Risk Management, U.S. Small Business Administration.

TRACKING TOWARD ZERO: IMPROVING GRADE CROSSING SAFETY AND ADDRESSING COMMUNITY CONCERNS

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled “Tracking Toward Zero: Improving Grade Crossing Safety and Addressing Community Concerns”. Testimony was heard from Karl Alexy, Associate Administrator for Railroad Safety and Chief Safety Officer, Federal Railroad Administration; Brian Vercruysse, Rail Safety Program Administrator, Illinois Commerce Commission; Matthew O’Shea, Alderman, 19th Ward of Chicago, Chicago City Council, Illinois; and public witnesses.

EXAMINING HOW THE DEPARTMENT OF VETERANS AFFAIRS SUPPORTS SURVIVORS OF MILITARY SEXUAL TRAUMA

Committee on Veterans’ Affairs: Subcommittee on Oversight and Investigations; and Women Veterans Task Force held a joint hearing entitled “Examining How the Department of Veterans Affairs Supports Survivors of Military Sexual Trauma”. Testimony was heard from Willie Clark, Deputy Under Secretary for Field Operations, Veterans Benefits Administration, Department of Veterans Affairs; Julie Kroviak, Deputy Assistance Inspector General for Healthcare Inspections, Office of Inspector General, Department of Veterans Affairs; and public witnesses.

MORE CURES FOR MORE PATIENTS: OVERCOMING PHARMACEUTICAL BARRIERS

Committee on Ways and Means: Subcommittee on Health held a hearing entitled “More Cures for More Patients: Overcoming Pharmaceutical Barriers”. Testimony was heard from public witnesses.

CREATING A CLIMATE RESILIENT AMERICA: OVERCOMING THE HEALTH RISKS OF THE CLIMATE CRISIS

Committee on the Climate Crisis: Full Committee held a hearing entitled “Creating a Climate Resilient America: Overcoming the Health Risks of the Climate Crisis”. Testimony was heard from public witnesses.

ARTICLE ONE: FOSTERING A MORE DELIBERATIVE PROCESS IN CONGRESS

Select Committee on the Modernization of Congress: Full Committee held a hearing entitled “Article One: Fostering a More Deliberative Process in Congress”. Testimony was heard from public witnesses.
Joint Meetings
PARLIAMENTARY DIPLOMACY
Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the power and purpose of parliamentary diplomacy, focusing on inter-parliamentary initiatives and the United States contribution, after receiving testimony from George Tsereteli, Georgian Member of Parliament and President of the Organization for Security and Co-operation in Europe Parliamentary Assembly, Tbilisi, Georgia; and Attila Mesterhazy, Hungarian Member of Parliament and Acting President of the North Atlantic Treaty Organization Parliamentary Assembly, Budapest, Hungary.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 6, 2020

(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “Non Tribal Public Witness Day”, 9 a.m., 2008 Rayburn.
Committee on Defense, hearing entitled “U.S. Strategic Command”, 11 a.m., H–140 Capitol. This hearing is closed.
Committee on Interior, Environment, and Related Agencies, hearing entitled “Non Tribal Public Witness Day”, 1 p.m., 2008 Rayburn.
Committee on Energy and Commerce, Subcommittee on Environment and Climate Change, hearing entitled “Clearing the Air: Legislation to Promote Carbon Capture, Utilization and Storage”, 10 a.m., 2123 Rayburn.
Committee on Financial Services, Full Committee, hearing entitled “Protecting Consumers or Allowing Consumer Abuse? A Semi-Annual Review of the Consumer Financial Protection Bureau”, 10 a.m., 2128 Rayburn.
Subcommittee on Oversight and Investigations, hearing entitled “Fake It Till They Make It: How Bad Actors Use Astroturfing to Manipulate Regulators, Disenfranchise Consumers and Subvert the Rulemaking Process”, 2 p.m., 2128 Rayburn.
Committee on Oversight and Reform, Subcommittee on Economic and Consumer Policy, hearing entitled “A Threat to America’s Children: The Trump Administration’s Proposed Changes to Broad Based Categorical Eligibility for the Supplemental Nutrition Assistance Program”, 10 a.m., 2154 Rayburn.
Subcommittee on Environment, hearing entitled “A Threat to America’s Children: The Trump Administration’s Proposal to Undermine Protections from Mercury Air Toxics Standards”, 2 p.m., 2154 Rayburn.
Committee on Small Business, Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship, hearing entitled “Taking Care of Business: How Childcare is Important for Regional Economies”, 10 a.m., 2360 Rayburn.
Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing entitled “Assessing the Transportation Needs of Tribes, Federal Land Management Agencies, and U.S. Territories”, 10 a.m., 2167 Rayburn.
Committee on Veterans’ Affairs, Subcommittee on Economic Opportunity, hearing on H.R. 5052, the “WAVES Act”; legislation on the Class Evaluation Act; legislation on the Edith Norris Rogers Improvement; legislation on the For Profit Conversions; legislation on the GI Bill Comparison Tool Data MOU; legislation on the Home Loan Disaster Legislation; legislation on the Increase in Frequency of Benefits under Automobile Assistance Programs; legislation on the VET–TEC Guard/Reserve Fix; legislation on the VET–TEC Terminal Leave Fix; legislation on the Authority of the Secretary of Veterans Affairs to Provide or Assist in Providing Second Vehicles Adapted for Operation by Disabled legislation on the Electronic Certificates of Eligibility; legislation on the Liability for Transferred Education Benefits; legislation on the STEM Eligibility; and legislation on the VET–TEC Improvement Act, 10 a.m., HVC–210.
Committee on Ways and Means, Subcommittee on Trade, hearing entitled “Trade Infrastructure for Global Competitiveness”, 10 a.m., 1100 Longworth.
Next Meeting of the SENATE
11:30 a.m., Thursday, February 6

Senate Chamber

Program for Thursday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Thursday, February 6

House Chamber

Program for Thursday: Consideration of H.R. 2474—Protecting the Right to Organize Act (Subject to a Rule). Consideration of H.R. 5687—Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue.

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February 5, 2020

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