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No. 4

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. SWALWELL).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 6, 2021.

I hereby appoint the Honorable ERIC SWALWELL to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend Margaret Grun Kibben, offered the following prayer:

O God, our refuge and our strength, a very present help in times of discord and trouble. Mountains crumble, waters rage, nations roar, and yet we need not be afraid, for even now You abide with us in these times of great discord, uncertainty, and unrest.

We, who have pledged to defend our Constitution against all enemies, we pray Your hedge of protection around this Nation. Defend us from those adversaries, both foreign and domestic, outside these walls and perhaps within these Chambers, who sow seeds of acrimony to divide colleagues and conspire to undermine trust in Your divine authority over all things.

The journey of this experiment in democracy is perilous and demanding, fraught with anger and discontent. But wise rulers still seek You.

So help us, God, to find You in the midst of us.

So help us, God, to see Your gracious plan even in the events of these days.

So help us, God, to serve You and this Nation with Godliness and dignity.

We lay before You the gifts of our hopes, our dreams, our deliberations,

and our debates, that You would be revealed and exalted among the people.

We pray these things in the strength of Your holy name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

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

Mr. MANN 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.

APPOINTMENT OF TELLERS ON THE PART OF THE HOUSE TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 1, and the order of the House of January 4, 2021, the Chair announces the Speaker's appointment of two Members as tellers on the part of the House to count the electoral votes:

The gentlewoman from California (Ms. LOFGREN); and

The gentleman from Illinois (Mr. RODNEY DAVIS).

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 5, 2021.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on January 5, 2021 at 5:05 p.m., said to contain a message from the President regarding additional steps addressing the threat posed by applications and other software developed or controlled by Chinese companies.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON,
Clerk of the House.

ADDRESSING THE THREAT POSED BY APPLICATIONS AND OTHER SOFTWARE DEVELOPED OR CONTROLLED BY CHINESE COMPANIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 117-6)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring additional steps to be taken concerning the national emergency with respect to the information and communications technology and services supply chain declared in Executive Order 13873 of May 15, 2019 (Securing the Information and Communications Technology and Services Supply Chain) to deal with the threat posed by applications and other

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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software developed or controlled by Chinese companies.

The pace and pervasiveness of the spread in the United States of certain connected mobile and desktop applications and other software developed or controlled by persons in the People's Republic of China (PRC), to include Hong Kong and Macau (China), continue to threaten the national security, foreign policy, and economy of the United States. By accessing personal electronic devices such as smartphones, tablets, and computers, Chinese connected software applications can access and capture vast swaths of information from users, including sensitive personally identifiable information and private information. The continuing activity of the PRC and the Chinese Communist Party to steal or otherwise obtain United States persons' data makes clear that there is an intent to use bulk data collection to advance China's economic and national security agenda. To deal with this threat, additional steps are required against those who develop or control certain Chinese connected software applications to protect our national security.

The Executive Order prohibits certain future transactions, as determined by the Secretary of Commerce (Secretary), involving the following Chinese connected software applications: Alipay, CamScanner, QQ Wallet, SHAREit, Tencent QQ, Vmate, WeChat Pay, and WPS Office. The Secretary is also directed to:

(i) continue to evaluate Chinese connected software applications that may pose an unacceptable risk to the national security, foreign policy, or economy of the United States, and to take appropriate action in accordance with Executive Order 13873; and

(ii) in consultation with the Attorney General and the Director of National Intelligence, provide a report to the Assistant to the President for National Security Affairs with recommendations to prevent the sale or transfer of United States user data to, or access of such data by, foreign adversaries, including through the establishment of regulations and policies to identify, control, and license the export of such data.

I have delegated to the Secretary, in consultation with the Secretary of the Treasury and the Attorney General, the authority to take such actions, including adopting appropriate rules and regulations, and employing all other powers granted to the President by IEEPA, as may be necessary to implement the Executive Order. The heads of all executive departments and agencies are directed to take all appropriate measures within their authority to implement the provisions of the Executive Order.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.
THE WHITE HOUSE, January 5, 2021.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 12:55 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1255

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 55 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. As the House comes to order for this important, historic meeting, let us be reminded that each side, House and Senate, Democrats and Republicans, each have 11 Members allowed to be present on the floor. Others may be in the gallery. This is at the guidance of the Attending Physician and the Sergeant at Arms.

The gentlemen on the Republican side of the aisle will please observe social distancing and the agreement to have 11 Members on each side so that we can honor the responsibility to this Chamber of this House of Representatives.

Please exit the floor if you do not have an assigned role from your leadership. You can share with your staff if you want to have a few more, but you cannot be that close together on the floor of the House with that many people in here.

I thank the Senate, and the Democrats and Republicans, for following the rules.

COUNTING ELECTORAL VOTES—JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 1

At 12:59 p.m., the Sergeant at Arms, Paul D. Irving, announced the Vice President and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left. Senators took seats to the right of the rostrum as prescribed by law.

The joint session was called to order by the Vice President.

PARLIAMENTARY INQUIRIES

Mr. GRIFFITH. Mr. Vice President, parliamentary inquiry.

The VICE PRESIDENT. The gentleman from Virginia will state his parliamentary inquiry.

Mr. GRIFFITH. Mr. Vice President, in order to follow the Speaker's instructions that only a limited number

of people be on the floor, may I ask how one would make an objection or make a parliamentary inquiry in the future if you are not on the floor but in the gallery.

The VICE PRESIDENT. Under section 18 of title 3, United States Code, debate is not permitted in the joint session.

Mr. GRIFFITH. Further parliamentary inquiry.

Mr. Vice President, I am not attempting to debate. I am trying to find out how a parliamentary inquiry or a parliamentary point of order would be made in following with the Speaker's request that most of us not be on the floor. How do you make one of those points of order when you don't know what is going to happen later?

The VICE PRESIDENT. Respectfully, the gentleman's parliamentary inquiry constitutes debate, which is not permitted in the joint session under section 18 of title 3, United States Code.

Madam Speaker, Members of Congress, pursuant to the Constitution and the laws of the United States, the Senate and House of Representatives are meeting in joint session to verify the certificates and count the votes of the electors of the several States for President and Vice President of the United States.

After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

The tellers on the part of the two Houses will take their places at the Clerk's desk.

The tellers, Mr. BLUNT and Ms. KLOBUCHAR on the part of the Senate, and Ms. LOFGREN and Mr. RODNEY DAVIS of Illinois on the part of the House, took their places at the desk.

The VICE PRESIDENT. Without objection, the tellers will dispense with the reading of the formal portions of the certificates.

There was no objection.

The VICE PRESIDENT. After ascertaining that the certificates are regular in form and authentic, the tellers will announce the votes cast by the electors for each State, beginning with Alabama, which the Parliamentarian has advised me is the only certificate of vote from that State, and purports to be a return from the State, and that has annexed to it a certificate from an authority of that State purporting to appoint or ascertain electors.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of Florida received 9 votes for President and MICHAEL R. PENCE of the State of Indiana received 9 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of Alabama that the teller has verified appears to be regular in form and authentic?