

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Johnson (TX)	Napolitano
Bass (Correa)	(Jeffries)	(Correa)
Brown (MD)	Kinzinger	Newman (Beyer)
(Ruppersberger)	(Meijer)	Palazzo
Bush (Bowman)	Kirkpatrick	(Fleischmann)
Chu (Beyer)	(Pallone)	Ryan (OH)
DeFazio	Lamb (Pallone)	(Correa)
(Pallone)	McEachin	Sánchez
Garcia (IL)	(Beyer)	(Pallone)
(Correa)	Meng (Escobar)	Swalwell
Gomez (Evans)	Moore (UT)	(Correa)
Granger (Ellzey)	(Curtis)	Trone
		(Ruppersberger)

□ 1445

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 8876

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I ask unanimous consent to remove the gentleman from Utah (Mr. OWENS) as cosponsor of H.R. 8876, the JACKIE WALORSKI Maternal and Child Home Visiting Reauthorization Act of 2022.

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

There was no objection.

AUTHORIZING THE USE OF THE  
ROTUNDA OF THE CAPITOL FOR  
A CEREMONY TO PRESENT THE  
STATUE OF HARRY S. TRUMAN  
FROM THE PEOPLE OF MISSOURI

Ms. LOFGREN. Madam Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 44) authorizing the use of the rotunda of the Capitol for a ceremony to present the statue of Harry S. Truman from the people of Missouri, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 44

*Resolved by the Senate (the House of Representatives concurring),*

SECTION 1. USE OF ROTUNDA FOR CEREMONY  
FOR PRESENTATION OF STATUE OF  
HARRY S. TRUMAN FROM THE PEOPLE  
OF MISSOURI

The State of Missouri is authorized to use the rotunda of the Capitol on September 29, 2022, for a ceremony to present the statue of Harry S. Truman from the people of Missouri for placement in the rotunda of the Capitol. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF A  
REVISED AND UPDATED  
VERSION OF THE HOUSE DOCUMENT  
ENTITLED "BLACK AMERICANS  
IN CONGRESS, 1870-1989"

Ms. LOFGREN. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 82, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 82

*Resolved by the House of Representatives (the Senate concurring),*

SECTION 1. PRINTING OF REVISED VERSION OF  
"BLACK AMERICANS IN CONGRESS,  
1870-1989".

(a) IN GENERAL.—An updated version of House Document 101-117, entitled "Black Americans in Congress, 1870-1989" (as revised by the Library of Congress), shall be printed as a House document by the Director of the Government Publishing Office, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) NUMBER OF COPIES.—In addition to the usual number, there shall be printed such number of copies of the document referred to in subsection (a) as does not exceed a total production and printing cost of \$500,000, of which—

(1) 80 percent shall be for the use of the Committee on House Administration of the House of Representatives; and

(2) 20 percent shall be for the use of the Committee on Rules and Administration of the Senate.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRESIDENTIAL ELECTION REFORM  
ACT

Ms. LOFGREN. Madam Speaker, pursuant to House Resolution 1372, I call up the bill (H.R. 8873) to amend title 3, United States Code, to reform the process for the counting of electoral votes, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1372, the bill is considered read.

The text of the bill is as follows:

H.R. 8873

*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 "Presidential Election Reform Act".

## SEC. 2. FINDINGS.

Congress finds the following:

(1) Article II and the Twelfth Amendment to the Constitution govern how our Republic selects the President and Vice President of the United States. Article II provides that "each state shall appoint, in such manner as the legislature may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." (Constitution, article II, section 1, clause 2). Article II provides that Congress has the authority to regulate the timing of such elections by setting the "time" of the Presidential election and the "day" on which presidential electors cast their votes (Constitution, article II, section 1, clause 4). The Twelfth Amendment identifies Congress' responsibility for counting electoral votes: "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed." Congress' authorities in these respects are further bolstered by the Necessary and Proper Clause of the Constitution (article I, section 8, clause 18).

(2) "On January 6, 2021, a mob professing support for then-President Trump violently attacked the United States Capitol in an effort to prevent a Joint Session of Congress from certifying the electoral college votes designating Joseph R. Biden the 46th President of the United States." Trump v. Thompson, 20 F.4th 10, 15 (D.C. Cir. 2021), cert. denied, 142 S. Ct. 1350 (2022). This constituted "the single most deadly attack on the Capitol by domestic forces in the history of the United States." Trump, 20 F.4th at 35. "Then-Vice President Pence, Senators and Representatives were all forced to halt their constitutional duties and flee . . . for safety." Id. at 16. "The events of January 6, 2021 marked the most significant assault on the Capitol since the War of 1812." Id. at 18-19.

(3) The Electoral Count Act of 1887 should be amended to prevent other future unlawful efforts to overturn Presidential elections and to ensure future peaceful transfers of Presidential power.

(4) The reforms contained in this Act are fully consistent with States' constitutional authority vested by Article II to appoint electors; the reforms herein do not restrict the mode in which States lawfully appoint their respective electors or resolve related contests or controversies, but instead ensure that those appointments, and the votes cast by those electors, are duly transmitted to Congress.

## SEC. 3. TIMING OF APPOINTING ELECTORS.

Section 1 of title 3, United States Code, is amended—

(1) by striking the period at the end and inserting "in accordance with State laws duly enacted prior to such day."; and

(2) by striking "in every fourth year succeeding every election of a President and Vice President" and inserting "in each year that is evenly divisible by four".

SEC. 4. PERMITTING EXTENSION OF TIME FOR  
PRESIDENTIAL ELECTION IN EVENT  
OF CATASTROPHIC EVENT POTENTIALLY  
AFFECTING OUTCOME.

(a) EXTENSION OF TIME FOR ELECTION.—Section 2 of title 3, United States Code, is amended to read as follows:

"§ 2. Limited extension of time for appointing  
electors

"(a) CRITERIA FOR EXTENDING TIME FOR VOTING IN PRESIDENTIAL ELECTIONS.—If a State provides for the State's electors to be appointed by popular election pursuant to

State laws duly enacted prior to the day fixed by section 1 of this title, the time for voting in such election shall, in accordance with the procedures described in subsection (b), be extended beyond the day fixed by section 1 of this title if a candidate for President who appears on the ballot in the State demonstrates by clear and convincing evidence in an action filed under subsection (b) that—

“(1) a catastrophic event has occurred in the State;

“(2) the catastrophic event has prevented a substantial portion of the State’s electorate from casting a ballot on such day, or caused a substantial portion of ballots already cast to be destroyed or rendered unreadable by such event without sufficient notice to affected voters by such day; and

“(3) the number of voters prevented from casting a ballot by such event, the number of ballots destroyed or rendered unreadable by such event, or the total of both such numbers, is sufficient in number to potentially affect the ability of that candidate to win the election with respect to one or more presidential electors.

“(b) PROCEDURES.—

“(1) AUTHORIZING FILING OF ACTION BY CANDIDATE.—A candidate for President who appears on the ballot of the State, and no other person, may file an action against the chief State election official of the State in the district court of the United States for the judicial district in which the capital of the State is located to seek an extension of the time for voting in the election under this section. Such district court shall have original and exclusive jurisdiction of any such action.

“(2) DETERMINATION BY THREE-JUDGE COURT.—

“(A) IN GENERAL.—Any action under this subsection shall be heard and determined by a court of 3 judges convened pursuant to section 2284 of title 28, United States Code, except that subsection (b)(2) of such section shall not apply to any such action, and any determination with respect to such an action shall be reviewable only by appeal directly to the Supreme Court of the United States.

“(B) EXPEDITED CONSIDERATION.—It shall be the duty of the district court described in paragraph (1) and the Supreme Court of the United States to advance on the docket and to expedite to the greatest extent possible the disposition of any action or appeal under this subsection.

“(3) CRITERIA FOR DECISION.—The court shall require the time for voting in the election to be extended under this section only if the court finds by clear and convincing evidence that the criteria of subsection (a) are met.

“(4) SCOPE OF EXTENDED VOTING PERIOD.—

“(A) PERIOD OF EXTENSION.—If the court finds that the criteria of subsection (a) are met, the court shall, except as provided in subparagraph (C), order an extended voting period that shall be for the shortest duration necessary in light of the catastrophic event justifying the extension, so long as such extended voting period concludes not later than 5 days after the day fixed by section 1 of this title.

“(B) IMPLEMENTATION OF EXTENSION.—The time for voting in an election which is extended under this section shall only be extended in the area in the State specifically and directly affected by the catastrophic event, and, to the extent practicable, all ballots cast on or prior to the day fixed by section 1 of this title that are otherwise valid under State law duly enacted prior to such day shall be counted, and voters who cast such ballots shall not be required to take further action to take into account the extension of time for the election under this section.

“(C) IMPOSSIBILITY OF IMPLEMENTATION.—If the court finds that the criteria of subsection (a) are met, but that it is impossible for the State to administer an extended voting period as a result of the catastrophic event, the court shall issue a declaratory judgment to that effect and, to the extent practicable, all ballots cast on or prior to the day fixed by section 1 of this title that are otherwise valid under State law duly enacted prior to such day shall be counted.

“(5) RIGHT TO INTERVENE.—Only a candidate for President who appears on the ballot of the State may intervene in an action filed with respect to the State under this subsection.

“(6) SANCTIONS.—If, on the court’s own initiative or the motion of a party, the court finds that the candidate filing an action under this subsection did not have a good-faith basis for the factual or legal contentions asserted in the action, the candidate’s attorneys of record and their law firms shall be jointly and severally liable for an amount equal to 3 times the full attorney’s fees and other expenses incurred by each other party to the action.

“(7) DEADLINE.—

“(A) IN GENERAL.—An action under this subsection must be filed not later than the day after the day fixed for the election by section 1 of this title.

“(B) EXCEPTION.—If the catastrophic event prevents the appropriate court from accepting the filing of an action under this subsection, the action must be filed in another district court of the United States capable of accepting the filing most proximate to the judicial district in which the capital of the State is located.

“(8) CHIEF STATE ELECTION OFFICIAL DEFINED.—In this subsection, the term ‘chief State election official’ has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (52 U.S.C. 21003(e)).

“(c) CATASTROPHIC EVENT DEFINED.—

“(1) DEFINITION.—In this section, the term ‘catastrophic event’ means a major natural disaster, an act of terrorism, or a widespread power outage, so long as such event is on a scale sufficient to prevent a substantial portion of a State’s electorate from casting a ballot on the day fixed by section 1 of this title, or such event causes a substantial number of ballots already cast in a State to be destroyed or rendered unreadable.

“(2) OTHER DEFINITIONS.—In paragraph (1)—

“(A) the term ‘act of terrorism’ means an activity that involves acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, and that appear to be intended—

“(i) to intimidate or coerce a civilian population;

“(ii) to influence the policy of a government by intimidation or coercion; or

“(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

“(B) the term ‘major natural disaster’ means any natural catastrophe (including any hurricane, tornado, historically significant widespread snowstorm, historically significant widespread flooding, historically significant destructive fire, tidal wave, tsunami, earthquake, or volcanic eruption that causes great damage or loss of life).

“(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

“(1) to limit the application of any State or Federal protection of the right to vote in an election during the period during which the time for voting is extended under this section;

“(2) to preclude a court in an action filed under subsection (b) from ordering sanctions otherwise authorized by law; or

“(3) to affect the manner in which, or circumstances under which, other elections under other provisions of law may be postponed or extended.”.

(b) CONFORMING AMENDMENT RELATING TO THE MAYOR OF THE DISTRICT OF COLUMBIA.—Section 21 of such title is amended by adding at the end the following:

“(c) ‘Governor’ includes the Mayor of the District of Columbia.”.

(c) CLERICAL AMENDMENT.—The table of sections of chapter 1 of such title is amended by amending the item relating to section 2 to read as follows:

“2. Limited extension of time for appointing electors.”.

## SEC. 5. TIMING OF ENACTMENT OF LAWS PROVIDING FOR VACANCIES IN ELECTORAL COLLEGE.

Section 4 of title 3, United States Code, is amended—

(1) by striking “by law” and inserting “by laws duly enacted prior to the day fixed by section 1 of this title for the appointment of electors”; and

(2) by adding at the end the following new sentence: “Vacancies occurring after the day fixed by section 1 of this title for the appointment of electors shall be filled only by alternative electors appointed under State law pursuant to this section.”.

## SEC. 6. REPEAL OF “SAFE HARBOR” RULES FOR DETERMINATION OF CONTROVERSY REGARDING APPOINTMENT OF ELECTORS.

(a) REPEAL.—Title 3, United States Code, is amended by striking section 5.

(b) CLERICAL AMENDMENT.—The table of sections of such title is amended by striking the item relating to section 5.

## SEC. 7. CERTIFICATES OF APPOINTMENT OF ELECTORS.

(a) IN GENERAL.—Section 6 of title 3, United States Code, is amended to read as follows:

### “§6. Credentials of electors; transmission to Archivist of the United States and to Congress; enforcement; public inspection

“(a) DUTIES OF GOVERNOR WITH RESPECT TO CERTIFICATION OF ELECTORS.—

“(1) OBLIGATION TO CERTIFY.—Not later than December 14, the Governor of each State shall certify the appointment of the electors for the State in compliance with section 1 or, if applicable, section 2 of this title.

“(2) TRANSMISSION TO ARCHIVIST OF THE UNITED STATES.—The Governor of a State shall, immediately after certifying the appointment of electors for the State under paragraph (1)—

“(A) transmit under the seal of such State the certificate of the appointment of electors under paragraph (1) to the Archivist of the United States by the most expeditious method available and by secure electronic transmission; and

“(B) make such certificate publicly available on the date of such transmission to the Archivist.

“(3) TRANSMISSION OF DUPLICATE-ORIGINALS TO ELECTORS.—The Governor of a State shall deliver to the electors of such State 6 duplicate- originals of the certificate described in paragraph (2) under the seal of the State not later than the date specified in section 7 of this title.

“(b) PRESERVATION AND TRANSMISSION OF CERTIFICATE.—The Archivist of the United States shall—

“(1) preserve any certificate received under subsection (a) for 1 year as part of the public records of the office of the Archivist open to public inspection; and

“(2) immediately transmit to the two Houses of Congress copies in full of each such certificate received by the most expeditious

method available and by secure electronic transmission.

“(c) ENFORCEMENT.—

“(1) ACTIONS AGAINST GOVERNOR.—

“(A) ACTIONS AUTHORIZED.—Any candidate for President or Vice President who appears on the ballot in a State who is aggrieved by a violation of subsection (a) with respect to such State, including by failing to certify the appointment of electors or because the certification does not accurately reflect the final election results of the State as modified by any recount or judicial or administrative proceeding conducted pursuant to State or Federal laws duly enacted prior to the day fixed by section 1 of this title, may file an action against the Governor for such declaratory, injunctive, or other appropriate relief in the district court of the United States for the judicial district in which the capital of the State is located to ensure the issuance and transmission of the certificate of appointment in compliance with the requirements of subsection (a), the Constitution of the United States, and any other Federal law.

“(B) RELIEF.—Such district court shall have original and exclusive jurisdiction of any such action and shall issue any appropriate relief, including, in appropriate cases, injunctive relief ordering the Governor of the State to issue, transmit, or revise the certificate of appointment of electors under subsection (a)(1), or other appropriate relief sufficient to ensure the transmission of the lawful certificate of appointment. If the Governor refuses to issue, transmit, or revise such certificate in compliance with the district court's order, the court shall direct another official of the State to issue, transmit, or revise the certificate of appointment of electors under such subsection.

“(2) ACTIONS AGAINST ARCHIVIST.—Any candidate for President or Vice President who appears on the ballot in a State who is aggrieved by a violation of subsection (b) with respect to the failure of the Archivist to transmit a certificate of appointment may file an action for such declaratory, injunctive, or other appropriate relief in the United States District Court for the District of Columbia, and such district court shall have original and exclusive jurisdiction of any such action, and shall issue any relief necessary to ensure the transmission of the certificate of appointment in compliance with the requirements of subsection (b).

“(3) DETERMINATION BY THREE-JUDGE COURT.—

“(A) IN GENERAL.—Any action described in this subsection shall be heard and determined by a court of 3 judges convened pursuant to section 2284 of title 28, United States Code, except that subsection (b)(2) of such section shall not apply to any such action, and any determination with respect to such an action shall be reviewable only by appeal directly to the Supreme Court of the United States.

“(B) EXPEDITED CONSIDERATION.—The court described in subparagraph (A) shall issue any relief under this subsection as promptly as possible but in no case later than December 19 such that a final order of the court on remand of the Supreme Court of the United States may occur not later than December 22.

“(d) CONCLUSIVE EFFECT OF CERTIFICATES.—

“(1) IN GENERAL.—In the joint session of Congress to count electoral votes pursuant to section 15 of this title, the certificate of appointment transmitted by the Governor of a State under subsection (a)(2), subject to any modification pursuant to a court order under subsection (c)(1), shall be accepted as conclusive with respect to the appointment of electors for such State, except that, in the

case no such certificate is transmitted by the Governor of a State, or the certificate transmitted by the Governor does not comply with revisions ordered by the court pursuant to subsection (c)(1), the certificate of appointment for the State transmitted by another official of the State pursuant to a court order under subsection (c)(1) shall be accepted as conclusive with respect to the appointment of electors for such State.

“(2) SPECIAL RULE WITH RESPECT TO FINAL DETERMINATION OF JUDICIAL PROCEEDING.—In the case that a certificate of appointment is subject to a final determination by a Federal and a State judicial proceeding, the certificate as modified by the final determination of the Federal judicial proceeding shall be accepted as conclusive with respect to the appointment of electors for such State to the extent that there is any inconsistency between such determinations.

“(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preempt any action conducted pursuant to State law duly enacted prior to the day fixed by section 1 of this title or affect the right of any person to bring an action under any other Federal law.”.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 1 of such title is amended by amending the item relating to section 6 to read as follows:

“6. Credentials of electors; transmission to Archivist of the United States and to Congress; enforcement; public inspection.”.

#### SEC. 8. DATE OF MEETING AND VOTE OF ELECTORS.

Section 7 of title 3, United States Code, is amended—

(1) by striking “the first Monday after the second Wednesday in December” and inserting “the twenty third of December”; and

(2) by inserting “, except that if the twenty third of December falls on a Saturday or Sunday, the electors shall meet and give their votes, in the case of a Saturday, on the preceding day, and, in the case of a Sunday, on the following day” after “State shall direct”.

#### SEC. 9. DISPOSITION OF CERTIFICATES AND LISTS.

(a) ELECTRONIC TRANSMISSION OF CERTIFICATES OF ELECTORS.—Section 11 of title 3, United States Code, is amended—

(1) in the undesignated paragraph beginning with “First.”, by striking “registered mail” and all that follows and inserting “the most expeditious method available to the President of the Senate at the seat of government and shall, on the same day, transmit a facsimile of the same in a secure, electronic manner.”; and

(2) in the undesignated paragraph beginning with “Third.”—

(A) by striking “registered mail” and inserting “the most expeditious method available”; and

(B) by adding at the end the following: “They shall, on the same day, transmit facsimiles of the same to the Archivist of the United States in a secure, electronic manner.”.

(b) FAILURE OF CERTIFICATES TO BE DELIVERED.—

(1) DEMAND ON STATE.—Section 12 of such title is amended—

(A) by striking “the fourth Wednesday in December” and inserting “December 30”; and

(B) by striking “registered mail” and all that follows and inserting the following: “the most expeditious method available to the President of the Senate at the seat of government and to immediately transmit a facsimile of the same in a secure, electronic manner.”.

(2) DEMAND ON JUDGE.—Section 13 of such title is amended—

(A) by striking “votes” each place it appears and inserting “votes and list”; and

(B) by striking “the fourth Wednesday in December” and inserting “December 30”; and

(C) by striking “list by the hand” and all that follows and inserting the following: “certificate and list by the hand of such messenger to the seat of government and shall immediately transmit a facsimile of the same in a secure, electronic manner.”.

(c) INCREASE IN PENALTY FOR NEGLECT OF DUTY.—Section 14 of such title is amended—

(1) by striking “electors” and inserting “electors and list”; and

(2) by striking “\$1,000” and inserting “\$25,000”.

#### SEC. 10. COUNTING ELECTORAL VOTES IN CONGRESS.

(a) PROCEDURES AT JOINT SESSION.—Section 15 of title 3, United States Code, is amended to read as follows:

##### “§ 15. Counting electoral votes in Congress

“(a) PROCEDURES AT JOINT SESSION.—

“(1) IN GENERAL.—Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate (or, in the absence of the President, the President pro tempore) shall be their presiding officer. Such joint session of the Senate and House of Representatives shall not be dissolved until the count of electoral votes shall be completed and the result of such count declared.

“(2) AUTHORITY OF PRESIDING OFFICER AT JOINT SESSION.—

“(A) POWER TO PRESERVE ORDER.—The presiding officer shall have power to preserve order, and no debate shall be allowed and no question shall be put by the presiding officer except as provided by this section.

“(B) NO DISCRETIONARY POWER.—The role of the presiding officer is ministerial. Except with respect to the procedures described in this section, the presiding officer shall not have any power to determine or otherwise resolve disputes concerning the proper list of electors for a State, the validity of electors for a State, or the votes of electors of a State. Except as provided for in this section, the presiding officer shall not order any delay in counting or preside over any period of delay in counting electoral votes.

“(3) READING OF CERTIFICATES.—

“(A) IN GENERAL.—The presiding officer shall, in the alphabetical order of the States, beginning with the letter A, open the sealed certificate in which is contained the signed certificates of votes and the annexed list of electors appointed for each State, and shall read aloud the names of the list of electors appointed for each State according to the certificate received. The presiding officer shall present the certificate of electoral votes cast by the State's appointed electors to the tellers for the purpose of reading such certificates pursuant to subparagraph (B).

“(B) READING OF CERTIFICATES BY TELLERS.—Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives. Upon the reading by the tellers of any such certificate of electoral votes, the presiding officer shall call for objections to such certificate pursuant to the rules described in subsection (c), if any.

“(C) RESULT OF ELECTORAL VOTE COUNT.—After having read the certificates of each State in the presence and hearing of the two Houses, the tellers shall make a list of the votes as they shall appear from the certificates, and the votes having been ascertained and counted according to the requirements of this section, the result shall be delivered

to the presiding officer, who shall thereupon announce the state of the vote. Such announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and shall, together with a list of the votes, be entered on the Journals of the two Houses.

“(4) MOTIONS IN ORDER AT JOINT SESSION.—No motion shall be received in the joint session except—

“(A) a motion pursuant to subsection (b) of this section in relation to the appointment of electors from a State; or

“(B) a motion to recess.

“(5) REQUIREMENTS FOR ACTIONS IN ORDER AT JOINT SESSION.—

“(A) IN GENERAL.—An objection, appeal, or motion shall not be received by the presiding officer unless such action—

“(i) is submitted in writing and states clearly and concisely, and without argument, the ground for such action;

“(ii) is signed by at least one third of each House of Congress; and

“(iii) in the case of a motion to recess, states a time certain, in accordance with paragraph (6), at which the joint session will resume proceedings.

“(B) RESTRICTION ON MOTION TO RECESS.—A Senator or Representative may sign only one motion to recess received by the presiding officer during joint session proceedings with respect to a single State.

“(C) APPEALS.—

“(i) IN GENERAL.—If an appeal is submitted in accordance with subparagraph (A)(i), the Clerk of the House of Representatives shall maintain the written appeal at the desk and the presiding officer shall provide Senators and Representatives with a sufficient opportunity to sign it before proceeding which shall not exceed 15 minutes.

“(ii) PROHIBITION AGAINST WITHDRAWAL OF APPEAL.—An appeal submitted in accordance with subparagraph (A)(i) may not be withdrawn following submission, and only one such appeal may be submitted with respect to a ruling of the presiding officer.

“(iii) FORM.—The presiding officer shall put the question on any appeal as follows: ‘Shall the decision of the presiding officer be overturned?’.

“(D) THRESHOLD TO ADOPT.—A majority vote of both Houses shall be required for the adoption of any question received during the joint session, except that a majority vote of either House shall be required for the adoption of a motion to recess.

“(6) RECESS.—A motion to recess must state the time certain for the resumption of proceedings in the joint session, the Senate, or the House, and may not state a time beyond the next calendar day at the hour of 10 o’clock in the forenoon. If the proceedings of the joint session have not been completed in three calendar days, no further recess may be taken.

“(7) DEBATE.—

“(A) DEBATE OF CERTAIN ACTIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), any question received by the presiding officer pursuant to paragraph (5) shall be reported in the joint session, and such question shall be submitted to each House, which shall each withdraw for a period of debate described in subparagraph (B).

“(ii) EXCEPTION FOR MOTION TO RECESS.—A motion to recess shall not be subject to debate.

“(B) LENGTH OF DEBATE.—The time for debate of any question shall be limited to—

“(i) in the case of any motion that is made under subsection (b), two hours equally divided and controlled by the majority leader and minority leader of each House or their respective designees;

“(ii) in the case of any objection that is made under subsection (c), two hours equally divided and controlled by the majority leader and minority leader of each House or their respective designees; and

“(iii) in the case of any appeal of a decision of the presiding officer, 30 minutes equally divided and controlled by the majority leader and minority leader of each House or their respective designees.

“(C) SINGLE DEBATE FOR MULTIPLE MOTIONS IN RELATION TO APPOINTMENT OF ELECTORS.—If more than one motion in relation to the appointment of electors from a State is made under subsection (b) that satisfies the requirements of paragraph (5), such motions shall be debatable for a single period of two hours as provided in subparagraph (B)(i).

“(D) SINGLE DEBATE FOR MULTIPLE OBJECTIONS.—If more than one objection with respect to any vote from a State is made under subsection (c) that satisfies the requirements of paragraph (5), such objections shall be debatable for a single period of two hours as provided in subparagraph (B)(ii).

“(E) SPECIAL RULE REGARDING LENGTH OF DEBATE.—If the proceedings of the joint session have not been completed in five calendar days, the presiding officer may reduce the length of debate for any question to not less than 30 minutes equally divided and controlled by the majority leader and minority leader of each House or their respective designees.

“(b) RULES FOR IDENTIFYING THE DULY APPOINTED ELECTORS OF A STATE.—

“(1) IN GENERAL.—The presiding officer shall announce the electors whose appointments are reflected in a certificate that is received under section 6 of this title. Pursuant to section 6 of this title, such electors shall be the conclusive appointed electors for the State, and in no case shall the presiding officer or the joint session consider any other person to be an appointed elector for a State.

“(2) MOTIONS IN RELATION TO THE APPOINTMENT OF ELECTORS.—After the declaration of the presiding officer under paragraph (1) with respect to a State, the following motions may be submitted:

“(A) A motion to reject the declaration of the appointment of electors for the State by the presiding officer under paragraph (1) on the grounds that the certificate of appointment presented by the presiding officer is not conclusive under section 6 of this title and to receive a certificate of appointment from the State that is conclusive under section 6 of this title.

“(B) In the absence of any presentation of a certificate from a State by the presiding officer, a motion to receive a certificate of appointment from the State that is conclusive under section 6 of this title.

“(3) VOTING BY THE HOUSES.—

“(A) IN GENERAL.—When all motions offered pursuant to paragraph (2) with respect to a State have been received and read in the joint session, the Senate shall thereupon withdraw, and such motions shall be submitted to the Senate for its decision, and the Speaker of the House of Representatives shall submit such motions to the House of Representatives for its decision.

“(B) ANNOUNCEMENT OF DECISION.—When the two Houses have voted, they shall immediately resume proceedings in the joint session, and the presiding officer shall announce the decision on any such motions.

“(4) ANNOUNCEMENT OF APPOINTMENT OF ELECTORS.—If a motion under paragraph (2) is adopted, the presiding officer shall declare the list of electors that was received under such motion to be the appointed electors for the State.

“(c) OBJECTIONS TO CERTIFICATE OF ELECTORAL VOTES.—

“(1) IN GENERAL.—Once the joint session has identified the duly appointed electors of a State pursuant to the procedures described in subsection (a) and the rules described in subsection (b), the presiding officer shall call for objections, if any, to one or more electoral votes cast by the electors of the State on the grounds specified in paragraph (2). No votes from a State shall be acted upon until any objections made to the votes from a State under this subsection have been decided.

“(2) GROUNDS FOR OBJECTIONS.—To raise an objection under this subsection, a Member must submit such objection pursuant to the requirements of subsection (a)(5) and specify in writing the number of electoral votes objected to and one of the following grounds for the objection:

“(A) The State in question was not validly a State at the time its electors cast their electoral votes and is thus not entitled to such votes, except that such objection may not be raised with respect to the District of Columbia.

“(B) The State in question submitted more votes than it is constitutionally entitled to, and thus a corresponding number of its purported votes should be rejected.

“(C) One or more of the State’s electors are constitutionally ineligible for the office of elector under article II, section 1, clause 2 or section 3 of the Fourteenth Amendment of the Constitution of the United States, except if a State has replaced the ineligible elector with an eligible elector pursuant to the authority described in section 4 of this title prior to the casting of electoral votes by its electors, then it shall not be in order to cite the initial appointment of the ineligible elector as grounds for raising an objection under this subparagraph.

“(D) One or more of the State’s electoral votes were cast for a candidate who is ineligible for the office of President or Vice President pursuant to—

“(i) article I, section 3, clause 7 of the Constitution of the United States;

“(ii) article II, section 1, clause 5 of the Constitution of the United States;

“(iii) section 3 of the Fourteenth Amendment to the Constitution of the United States; or

“(iv) section 1 of the Twenty-second Amendment to the Constitution of the United States.

“(E) One or more of the State’s electoral votes were cast in violation of the requirements enumerated by article II, section 1, clause 4 of the Constitution of the United States by failing to vote on the date specified in section 7 of this title, or one or more of the State’s electoral votes were cast in violation of the Twelfth Amendment to the Constitution of the United States by failing to be cast—

“(i) by ballot; or

“(ii) distinctly for the offices of President and Vice President, one of whom is not an inhabitant of the elector’s State.

“(3) VOTING BY THE HOUSES.—

“(A) IN GENERAL.—When all objections offered pursuant to paragraph (1) with respect to a State have been received and read in the joint session, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision, and the Speaker of the House of Representatives shall submit such objections to the House of Representatives for its decision.

“(B) ANNOUNCEMENT OF DECISION.—When the two Houses have voted, they shall immediately resume proceedings in the joint session, and the presiding officer shall announce the decision on any such objections.

“(d) EFFECT OF REJECTION OF ELECTORAL VOTES.—

“(1) EFFECT OF REJECTION OF ELECTORAL VOTES.—If a State’s electoral votes are rejected under subsection (c)(2)—

“(A) in the case a State’s electoral votes are rejected pursuant to an objection under subparagraph (A), (B), or (C) of such subsection, the whole number of electors appointed for purposes of the Twelfth Amendment of the Constitution of the United States shall be reduced by the number of rejected electoral appointments; and

“(B) in the case a State’s electoral votes are rejected pursuant to an objection under subparagraph (D) or (E) of such subsection, the whole number of electors appointed for purposes of the Twelfth Amendment of the Constitution of the United States shall be unaffected.

“(2) CONSTITUTIONAL INELIGIBILITY.—For the purposes of section 3 of the Twentieth Amendment of the Constitution of the United States, in the case an objection is sustained under subsection (c)(2)(D)—

“(A) the electoral votes cast for such candidate shall be counted for the purposes of determining whether the candidate has been elected under such amendment;

“(B) such candidate shall be deemed to have failed to qualify under such amendment; and

“(C) subparagraphs (A) and (B) shall apply with respect to any electoral votes cast for such candidate from any other State that are otherwise valid under this section, except that nothing in this paragraph shall be construed to prohibit a Member from objecting to any such electoral votes on other grounds described in subsection (c)(2).”

(b) CONFORMING AMENDMENT.—Title 3, United States Code, is amended by striking sections 16 through 18.

(c) CLERICAL AMENDMENT.—The table of sections of such title is amended by striking the items relating to sections 16 through 18.

#### SEC. 11. PROTECTION OF TABULATION AND CERTIFICATION.

(a) PROHIBITION.—With respect to an election for the office of President, Vice President, or presidential elector, no person acting under color of law shall willfully fail or refuse to—

(1) tabulate, count, or report any vote that is timely cast and is otherwise valid under applicable State and Federal law; or

(2) certify the aggregate tabulations of such votes or certify the election of the candidates receiving sufficient such votes to be elected to office.

(b) ENFORCEMENT.—

(1) AUTHORIZING FILING OF ACTION BY CANDIDATE.—Any candidate for President, Vice President, or presidential elector who appears on the ballot in a State who is aggrieved by a violation of subsection (a) may file an action for such declaratory and injunctive relief as may be appropriate in the district court of the United States for the judicial district in which the capital of the State is located.

(2) DETERMINATION BY THREE-JUDGE COURT.—

(A) IN GENERAL.—An action described under this subsection shall be heard and determined by a court of 3 judges convened pursuant to section 2284 of title 28, United States Code, except that subsection (b)(2) of such section shall not apply to any such action, and any determination with respect to such an action shall be reviewable only by appeal directly to the Supreme Court of the United States.

(B) EXPEDITED CONSIDERATION.—It shall be the duty of the district court described in this subsection and the Supreme Court of the United States to advance on the docket and to expedite to the greatest extent possible the disposition of any action or appeal under this subsection.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preempt any action conducted pursuant to State law duly enacted prior to the day fixed by section 1 of title 3, United States Code, or affect the right of any person to bring an action under any other Federal law.

#### SEC. 12. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of any provision of this Act or an amendment made by this Act to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on House Administration or their respective designees.

The gentlewoman from California (Ms. LOFGREN) and the gentleman from Illinois (Mr. RODNEY DAVIS) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. LOFGREN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 8873 into the RECORD.

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

There was no objection.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of H.R. 8873, the Presidential Election Reform Act.

This bipartisan bill is a product of over 2 years of work, first on the Committee on House Administration and subsequently on the January 6th Select Committee.

Working in partnership with Representative LIZ CHENEY, we have had extensive consultation with bipartisan law professors, former judges, and other experts. We have engaged in a fulsome, thoughtful, nonpartisan process, and where Ms. CHENEY and I didn’t always agree, we compromised, in the great tradition of the legislative process.

I thank my friend, colleague, and the vice chair of the January 6th Committee, LIZ CHENEY. Her partnership, leadership, intelligence, and, frankly, her courage have been invaluable to the select committee’s work and to the development of this bill.

I want to be very clear: In revising the Electoral Count Act and related laws, that in no way condones the actions of the ex-President and his allies. Indeed, Dr. John Eastman openly admitted that his plan violated the Electoral Count Act. President Trump was told the same.

But this bill will make it harder to convince people that they have the right to overthrow the election. Here are a few things the bill does.

First, this bill reaffirms that the Vice President’s authority at the electoral count is ministerial. The Vice President’s authority has always been ministerial and always will be ministerial, but as we saw in 2020, former President Trump and his allies sought to unlawfully exploit the ECA to suggest otherwise.

The bill will also enact new electoral counting rules for Congress. Previously, just a few Members of each House were able to derail the proceedings with frivolous objections. That will no longer be the case.

Under this bill, no objection will be heard unless one-third of each House supports it, and the only objections that will be permitted are those that are rooted in the Constitution itself, a narrow set of issues.

The bill also prevents State and local election subversion. For example, Governors will be required to submit their State’s lawful certificate of appointment, and Federal courts will be empowered to force them to do so if they refuse.

Ultimately, this bill is about protecting the will of the American voters, which is a principle that is beyond partisanship. The bottom line is this: If you want to object to the vote, you better have your colleagues and the Constitution on your side. Don’t try to overturn our democracy.

Madam Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

I think it is important today to begin by taking a step back, provide some important context about the bill we are considering today, and reestablish some important facts.

Election administration and the way elections work is a complicated process. For most of us, this experience typically consists of showing up, casting a ballot, and then digesting news coverage of results. Very few people realize everything that goes on behind the scenes.

But recently, as election administration has come into the forefront, there are a lot of people who all of a sudden seem to think that they are an expert on the subject. This includes many of the people in these buildings and in the press.

Many of those folks have never been on the ground in election offices across the country and couldn’t tell the difference between an e-pollbook and a high-speed ballot scanner, yet they know they are right.

This has led to all sorts of rumors, narratives, and misinformation across the political spectrum to percolate within our society, and that has caused people to lose faith in our elections. This is a huge problem.

I have spent the past few years traveling the country to learn about different State election processes and have met with countless Republican and Democrat election administrators.

I have learned about the checks and balances in place.

Free and fair elections are the bedrock of our democracy, and we must ensure people can have faith in elections and election processes and outcomes in order for our democracy to continue to thrive.

Unfortunately, one false narrative that has been pushed by my colleagues on the other side is that Republican Members of Congress are election subverters or deniers, trying to overthrow elections because of an objection to a State's electoral slate on January 6. This has been fueled by members of the media who don't understand the subject.

They are claiming that this particular action was unprecedented and an affront to democracy. However, so many of them, including powerful committee chairs that are in power today, have objected in the past. In fact, Democrats have objected to every single Republican Presidential win in the 21st century.

Another false narrative is that somehow the legal actions taken by the Trump campaign, the rhetoric of former President Trump, Republican Members of Congress voting to object to a State's electors, and the illegal actions of many people who attacked the Capitol on January 6 were all connected in some kind of mass conspiracy by Republicans to stage a coup.

These two narratives are now presented on a daily basis as though they are fact, but that is quite simply not true. The fact of the matter is, there are longstanding legal frameworks in place to adjudicate disputes in election outcomes that have been utilized regularly, regardless of party.

There is not enough time today to go through all of them, but the point is these processes have existed for a long time, and they are used frequently and often by candidates of all political stripes.

There are checks, balances, and safeguards woven in throughout the system. The goal of every election framework is to ensure the person who takes the oath of office is the one who actually won. That is true in the States, in the courts, and here in Congress.

The best news of all is these systems have worked. At the end of the day, the outcomes were exactly as they should have been. It is why people can and should have faith in our election system.

This isn't to say that our system is perfect. There is always room for improvement, but unfortunately, that is not what is happening here today.

The Electoral Count Act has been in place for over a century and directly implements constitutional provisions. Members of all political parties have exercised their rights under the provisions of that law to raise constitutional objections to State electoral slates if they determine something may be improper. This is not an affront to democracy. Frankly, it is democracy in action.

In fact, Democrats have quite an extensive history of objecting to the electoral count. I include in the RECORD a list of over 80 Democrats denying election results, including many chairs, people like Chairperson MAXINE WATERS, Chairman BENNIE THOMPSON, Representative JAMIE RASKIN, and many others here today.

COMMITTEE ON REPUBLICANS HOUSE  
ADMINISTRATION,  
Ranking Member, RODNEY DAVIS,  
DEMOCRAT OBJECTORS SINCE 2000  
2000 (JAN. 2001)

Rep. Alcee Hastings,  
Rep. Jesse L. Jackson Jr.  
Rep. Maxine Waters  
Rep. Ted Deutch  
Rep. Carrie Meek  
Rep. Corrine Brown  
Rep. Eddie Bernice Johnson  
Rep. Elijah Cummings  
Rep. Sheila Jackson Lee  
Rep. Barbara Lee  
Rep. Cynthia McKinney  
Rep. Patsy T. Mink  
Rep. Eva Clayton  
Rep. Bob Filner

2004 (JAN. 2005)

Sen. Barbara Boxer  
Rep. Stephanie Tubbs Jones

2016 (JAN. 2017)

Rep. Sheila Jackson Lee  
Rep. Pramila Jayapal  
Rep. Jim McGovern  
Rep. Jamie Raskin  
Rep. Barbara Lee  
Rep. Raul Grijalva  
Rep. Maxine Waters

1. Hillary Clinton denied the results of the 2000 and 2016 presidential elections, believed there were legitimate questions regarding the integrity of the 2004 presidential election, and said that Stacey Abrams would have won the 2018 Georgia gubernatorial election against Gov. Brian Kemp if it had been fair.

2. President Joe Biden has previously claimed that Gore won the 2000 presidential election and agreed that Trump was an "illegitimate president."

3. Vice President Kamala Harris has previously agreed that Trump was an "illegitimate president" and claimed that without voter suppression, Abrams would have won the 2018 Georgia gubernatorial election and Andrew Gillum would have won the 2018 Florida gubernatorial election.

4. Former President Bill Clinton claimed that Gore actually won the 2000 presidential election.

5. Former President Jimmy Carter claimed that Gore was the real winner of the 2000 presidential election and that Trump lost the 2016 presidential election.

6. Former President Barack Obama, when he was an Illinois senator, said that not every vote was counted in the 2000 presidential election.

7. John Kerry, President Biden's special presidential envoy for climate, claimed voters were "denied their right to vote" in the 2004 presidential election and reportedly told New York University professor Mark Crispin Miller that he believed the election was stolen.

8. Kerry's wife, Teresa Heinz Kerry, also said the 2004 presidential election could have been stolen.

9. Stacey Abrams, the current Georgia Democratic gubernatorial nominee, has claimed that she won the 2018 election for governor of her state.

10. Former Virginia Gov. Terry McAuliffe, who was the DNC chairman 2001-2005,

claimed that Gore won the 2000 presidential election.

11. House Speaker Nancy Pelosi (D-Calif.) praised then-Sen. Barbara Boxer's (D-Calif.) objection to the certification of Ohio's electoral votes in the 2004 presidential election.

12. Rep. Bennie Thompson (D-Miss.), chairman of both the Homeland Security and Jan. 6 committees, objected to the electoral votes from the state of Ohio for the 2004 presidential election.

13. House Majority Whip James Clyburn (D-S.C.) questioned the integrity of the 2000 presidential election when he was chair of the Congressional Black Caucus, and objected to the certification of Ohio's electoral votes in the 2004 presidential election.

14. Sen. Ed Markey (D-Mass.), when he was a congressman, voted to reject the electoral votes from the state of Ohio for the 2004 presidential election.

15. Sen. Bernie Sanders (I-Vt.), when he was a congressman during the certification of the 2004 presidential election, said he was "worried" that there wasn't a paper trail for electronic voting machines in case of recounts. After the 2016 presidential election, Sanders said he was "concerned" about "the role Russian hacking played in getting [Trump] elected."

16. Then-Sen. Barbara Boxer (D-Calif.) was the only senator to join 31 House Democrats in rejecting the electoral votes from the state of Ohio for the 2004 presidential election.

17. Rep. Maxine Waters (D-Calif.), Financial Services Committee chair, objected to the certification of Florida's electoral votes in the 2000 presidential election and the certification of Ohio's electoral votes in the 2004 presidential election. She also tried to get a senator to join her in a letter of objection after the electoral votes for Wyoming were announced during the certification of the 2016 presidential election.

18. Rep. Jamie Raskin (D-Md.), who is a member of the January 6th Committee and was a House impeachment manager during Trump's second impeachment, said Bush was a "court-appointed president" following 2000 election, and objected to certifying the electoral votes for Florida in the 2016 presidential election.

19. Rep. Jerry Nadler (D-N.Y.), chairman of the Judiciary Committee, claimed there were irregularities in the 2004 presidential election and called Trump "an illegitimate president."

20. Rep. Sheila Jackson Lee (D-Texas), a senior member of the Judiciary, Homeland Security and Budget committees, objected to "Florida's inaccurate vote count" in the 2000 presidential election, objected to the certification of Ohio's electoral votes in the 2004 presidential election, and objected to several states' electoral votes in the 2016 presidential election.

21. Rep. Barbara Lee (D-Calif.) objected to the certification of Florida's electoral votes in the 2000 presidential election, objected to the certification of Ohio's electoral votes in the 2004 presidential election, and objected to the certification of Michigan's electoral votes in the 2016 presidential election.

22. Rep. Raúl Grijalva (D-Ariz.), Natural Resources Committee chairman, objected to Ohio's electoral votes in the 2004 presidential election and objected to North Carolina's electoral votes for the 2016 presidential election.

23. Rep. Eddie Bernice Johnson (D-Texas), when she was chair of the Congressional Black Caucus, said there was "overwhelming evidence" that Bush did not win the 2000 presidential election and objected to the certification of Florida's electoral votes in the 2000 presidential election. She also objected to the certification of Ohio's electoral college votes in the 2004 presidential election.



24. Then-Rep. John Lewis (D-Ga.) didn't believe Trump was legitimately elected in 2016 and voted to not certify Ohio's electoral vote in the 2004 presidential election.

25. Rep. Frank Pallone (D-N.J.), Energy and Commerce Committee chairman, objected to the certification of Ohio's electoral vote in the 2004 presidential election.

26. Then-Rep. Elijah Cummings (D-Md.) objected to the certification of Florida's electoral votes in the 2000 presidential election.

27. Then-Rep. Jesse Jackson, Jr., (D-Ill.) asked if it was too late for a Democratic senator to sign an objection to the electoral votes for Florida in the 2000 presidential election. He also objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

28. Rev. Jesse Jackson, Sr., said that the 2000 election was "essentially taken and stolen" from Gore and suggested that the 2004 presidential election was won through fraud.

29. Then-Rep. Patsy Mink (D-Hawaii) objected to the certification of Florida's electoral votes in the 2000 presidential election.

30. Rep. Danny K. Davis (D-Ill.), chairman of a Ways and Means subcommittee, objected to the certification of Ohio's electoral vote in the 2004 presidential election.

31. Rep. Jan Schakowsky (D-Ill.), the current senior chief deputy whip, objected to the certification of Ohio's electoral vote in the 2004 presidential election and said the 2016 presidential election was "tainted by foreign interference and voter suppression."

32. Sen. Dianne Feinstein (D-Calif.) believed the 2016 presidential election outcome was altered by Russian interference.

33. Rep. Debbie Wasserman Schultz (D-Fla.), former DNC chairwoman, said that Gore won the 2000 election and that the 2016 election outcome was affected by Russian interference for Trump.

34. Then-Rep. Corrine Brown (D-Fla.) didn't believe Bush was elected in the 2000 presidential election and objected to the certification of Florida's electoral votes in the 2000 presidential election. She also objected to the certification of Ohio's electoral votes in the 2004 presidential election.

35. Then-Sen. Ted Kennedy (D-Mass.) approved of Democrats' efforts to contest the 2004 presidential election.

36. Robert F. Kennedy, Jr., claimed the 2004 presidential election was stolen.

37. Then-Rep. Stephanie Tubbs Jones (R-Ohio) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

38. Then-DNC Chairman and former Vermont governor Howard Dean claimed there was voter suppression by Republicans in the 2004 presidential election, that the electronic voting machines weren't reliable, and said there wouldn't "be any more election stealings." Following the 2018 Georgia gubernatorial election, he said that Abrams shouldn't concede and that it was "almost certainly stolen."

39. Then-Senate Minority Leader Harry Reid (D-Nev.) was concerned about the integrity of electronic voting machines in the 2004 presidential election.

40. Sen. Dick Durbin (D-Ill.) praised Boxer for objecting to the certification of Ohio's electoral college votes in the 2004 presidential election.

41. Then-Sen. Tom Harkin (D-Iowa) praised Tubbs Jones for objecting to the certification of Ohio's electoral college votes in the 2004 presidential election and raised concerns about Republicans suppressing the vote and possible fraud with electronic voting machines.

42. Then-Sen. Frank Lautenberg (D-N.J.) claimed there was "systematic voter disenfranchisement" and issues with voting machines.

43. Sen. Debbie Stabenow (D-Mich.) raised concerns about voting machines used in the 2004 presidential election.

44. Sen-Rep. Sherrod Brown, (D-Ohio) when he was a congressman, said there were voters "who lost their right to vote" in Ohio during the 2004 presidential election. He also said that if Abrams wasn't the winner of the 2018 Georgia gubernatorial election, then the election was stolen.

45. Rep. Danny Davis (D-Ill.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

46. Then-Rep. Dennis Kucinich (D-Ohio) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

47. Then-Rep. William Lacy Clay (D-Mo.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

48. Then-Rep. Cynthia McKinney (D-Calif.) objected to the certification of Florida's electoral votes in the 2000 presidential election and objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

49. Then-Rep. Chris Van Hollen (D-Md.) praised Boxer and Tubbs Jones on their efforts to object to the certification of Ohio's electoral college votes in the 2004 presidential election.

50. Then-Rep. Cedric Richmond (D-La.), who was the chair of the Congressional Black Caucus and later served in the Biden administration as director of the White House Office of Public Engagement, said Lewis' remarks that Trump wasn't legitimately elected were "reasonable."

51. Rep. Ted Lieu (D-Calif.) said there was "a cloud of illegitimacy" over Trump's presidency.

52. Sen. Cory Booker (D-N.J.) said he believed the 2018 Georgia gubernatorial election was stolen from Abrams.

53. Sen. Elizabeth Warren (D-Mass.) said evidence appeared to suggest that the 2018 Georgia gubernatorial election was stolen from Abrams.

54. Former attorney general for the Obama administration, Eric Holder, said he believed Abrams won the 2018 Georgia gubernatorial election.

55. Andrew Gillum withdrew his concession in the 2018 Florida gubernatorial election, questioning how the vote was handled in some counties.

56. Then-Rep. Anthony Brindisi (D-N.Y.) wanted authorities to investigate voter irregularities and voter disenfranchisement after he lost his House race in 2020. He said it was is "one disappointment" that a court didn't grant him a recount.

57. Then-state Sen. Rita Hart (D-Iowa) initially challenged her election loss in the 2020 House race, claiming that ballots were rejected improperly.

58. Biden's Chief of Staff Ron Klain said that Gore won the 2000 presidential election.

59. Biden Press Secretary Karine Jean-Pierre tweeted that the 2018 Georgia gubernatorial election was stolen by Kemp from Abrams and implied that the 2016 presidential election was stolen.

60. Harris' Communications Director Jamal Simmons tweeted that the 2000 presidential election was stolen by Bush.

61. Then-Rep. Marcia Fudge (D-Ohio), who is now Biden's secretary of the Department of Housing and Urban Development, questioned the legitimacy of Trump's presidency.

62. Then-Rep. Alcee Hastings (D-Fla.) objected to the certification of Florida's electoral votes for the 2000 presidential election and objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

63. Then-Rep. Julia Carson (D-Ind.) objected to the certification of Ohio's electoral

college votes in the 2004 presidential election.

64. Then-Rep. John Conyers, Jr., (D-Mich.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

65. Then-Rep. Lane Evans (D-Ill.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

66. Then-Rep. Sam Farr (D-Calif.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

67. Then-Rep. Bob Filner (D-Calif.), who later became mayor of San Diego, objected to the certification of Florida's electoral votes in the 2000 presidential election and objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

68. Then-Rep. Maurice Hinchey (D-N.Y.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

69. Then-Rep. Carolyn Cheeks Kilpatrick (D-Mich.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

70. Then-Rep. John Olver (D-Mass.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

71. Then-Rep. Major Owens (D-N.Y.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

72. Then-Rep. Donald M. Payne, Sr., (D-N.J.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

73. Then-Rep. Diane Watson (D-Calif.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

74. Then-Rep. Lynn Woolsey (D-Calif.) objected to the certification of Ohio's electoral college votes in the 2004 presidential election.

75. Rep. Jim McGovern (D-Mass.) objected to the certification of Alabama's electoral votes in the 2016 presidential election.

76. Rep. Pramila Jayapal (D-Wash.) objected to the certification of Georgia's electoral votes in the 2016 presidential election.

77. Christine Pelosi, who is Pelosi's daughter and was an elector in 2016, was one of the 80 Hamilton Electors who led an effort to receive a briefing on the Trump-Russia collusion investigation prior to the Electoral College vote.

78. Then-Rep. Carrie Meek (D-Fla.) objected to the certification of Florida's electoral votes in the 2000 presidential election.

79. Then-Rep. Eva Clayton (D-N.C.) objected to the certification of Florida's electoral votes in the 2000 presidential election.

80. Democratic election lawyer Marc Elias argued in court that voting machines "misread" votes in Brindisi's election challenge for his 2020 House race. He also got Al Franken's apparent loss in a Minnesota Senate election overturned in court.

81. Former state Sen. Hank Sanders (D-Ala.) said the 2016 presidential election was stolen from Clinton.

82. Sen. Patty Murray's (D-Wash.) supported fellow Democrats for their "questions about voting irregularities" in the 2004 presidential election.

Mr. RODNEY DAVIS of Illinois. Again, the result in all of these cases was that our system worked. The House and Senate did what they were supposed to do, heard the objections, disposed of them properly, and ultimately certified the election as originally presented.

Objecting does not make you an election subverter or denier. Each Member of Congress has a constitutional duty to do what they think is best for their constituents.

At the same time Democrats were accusing Republicans of undermining democracy, they themselves were attempting to overturn the results of a duly-certified election in Iowa's Second Congressional District. The challenger, Democrat Rita Hart, even said that she brought the contest to a partisan committee in D.C. instead of Iowa courts in order to "get the result we need."

This was after the State of Iowa followed their normal and lawful process throughout the election for Iowa-02. The votes were counted, recounted by multiple bipartisan recount boards, and duly certified.

Yet, this majority orchestrated having their candidate bypass State courts and instead attempted to utilize the House itself to steal a congressional seat to boost their slim majority. This was the single biggest act of election subversion that occurred in the 2020 election cycle, and it was carried out by the same people here today claiming that Republicans are a threat to democracy.

Fast forward to today. Democrats are once again attempting to move a major piece of legislation that overhauls a key piece of our election system in a partisan manner behind closed doors. They didn't hold a hearing or a markup on this bill. They didn't release legislative text until 24 hours before it was considered in the Rules Committee. They didn't consult Republicans on the committee of jurisdiction, despite repeated overtures to work together on discussions of this important issue—all rebuffed.

Why rush such a significant piece of legislation when the next Presidential certification won't happen for over 2 years? It is pretty simple, Madam Speaker: The midterm elections are just weeks away, and the Democrats are desperately trying to talk about their favorite topic, former President Trump.

As someone who voted to certify Joe Biden as President and who recently lost a primary race to a candidate endorsed by the former President, I believe what House Democrats and the January 6th Committee are doing is irresponsible and wrong.

They have allowed their dislike for one man, President Trump, to cloud their judgment and guide their actions, no matter the consequences to this institution or the Constitution that they claim they want to uphold.

□ 1500

It is time that we started being honest with ourselves and with the American people. The facts are:

The President and his campaign filing legal challenges in State and Federal courts around the country was not improper nor unprecedented. Everyone is entitled to their day in court. Those

suits were considered by judges and ultimately rejected. The process worked.

The rhetoric of former President Trump following the 2020 election was highly inappropriate.

Republican Members of Congress objecting to a State's slate of electors is not election subversion or unprecedented.

The actions of the individuals who attacked the Capitol on January 6 were wrong. Those individuals should be prosecuted to the fullest extent of the law.

Democrats have just as long of a history as Republicans of challenging and questioning elections, including attempting to overturn a duly certified congressional election in Iowa. This is not a partisan issue, and the processes in place have worked.

Madam Speaker, I would just reiterate that people's faith in our elections is critical to the long-term success of our democracy. It is time for House Democrats to quit playing partisan political games and pushing false narratives just to preserve their own power.

It is incumbent upon all of us to be honest and work in good faith to serve the American people, restore faith in our elections, and protect our democracy.

Ms. LOFGREN. Madam Speaker, on January 6, the President had whipped up a mob, told them that the Vice President could overturn the election, and a majority of the Republicans in this House voted to reject the decision made by American voters as reflected in the electoral college for no reason whatsoever, other than sham fraud claims.

Madam Speaker, I yield 5 minutes to the gentlewoman from Wyoming (Ms. CHENEY), the vice chair of the January 6th Select Committee.

Ms. CHENEY. Madam Speaker, I want to begin by thanking the gentlewoman from California, Chairwoman LOFGREN, for her work on this bill. The chairwoman and I certainly have our disagreements on issues, but there is no one I respect more in this body for their diligence, for their commitment, for their expertise, for their commitment to our Constitution, to her constituents, and to this country. It has been a real pleasure working with her, as well as the staff of the House Administration Committee. I particularly thank my counsel on the January 6th Select Committee, Joe Maher, for his tremendous work on this bill.

This bill has benefited from a wide range of input from constitutional experts, including many conservative constitutional experts, jurists, and scholars who worked with us on this bill. Their input has been invaluable.

I also want to praise those in the Senate who have been working hard on their version of Electoral Count Act reform. Our bill builds on what they have already put forth.

Commentary from conservatives on our bill has been exceptionally positive. Here are a few examples.

Judge Luttig, a widely respected conservative legal expert, wrote that our bill was "masterfully drafted" to ensure we never have another day anything like January 6 and to avert other future efforts to overturn our Nation's democratic elections.

The Wall Street Journal editorial board offered a range of positive comments, including explaining that the House bill would make it harder for "partisans in Congress who want to get C-Span-famous to lodge phony electoral college objections" or for them to raise objections on the House floor because "somebody had a funny feeling about the vote totals in west south-eastern Pennsylvania."

The conservative Cato Institute said this: "In some respects," this bill is "more conservative and originalist" than the existing Senate bill.

Conservative commentator Quin Hillyer said in the Washington Examiner that the House bill adds to the work already done by the Senate and "fills in almost all gaps with admirable and sensible specificity."

There are many other examples from conservative commentators, as well. Madam Speaker, I urge my Republican colleagues to read those articles and editorials in full.

If your aim is to prevent future efforts to steal elections, I would respectfully suggest that conservatives should support this bill. If instead your aim is to leave open the door for elections to be stolen in the future, you might decide not to support this or any other bill to address the Electoral Count Act.

January 6, contrary to what my colleague from Illinois just said, was not "democracy in action." Our oath of office is to support and defend the Constitution, which provides the method by which we elect our President. Legal challenges are not improper, but Donald Trump's refusal to abide by the rulings of the courts certainly was.

In our system of government, elections in the States determine who is the President. Our bill does not change that. This bill will prevent Congress from illegally choosing the President itself.

As we detailed in our January 6 hearings, a Federal judge has reviewed evidence submitted by the January 6th Select Committee and concluded that former President Trump likely violated two criminal statutes when he pressured Vice President Pence to reject legitimate State electoral votes in our joint session. That is what Vice President Pence called "un-American."

In our hearings, we have demonstrated that President Trump knew specifically that what he was doing was illegal, but he did it anyway. President Trump's conduct was illegal under the existing Electoral Count Act, and it would be illegal under this new bill, as well.

Our bill reaffirms what the Constitution and existing law make plain: The



Vice President has no authority or discretion to reject official State electoral slates. It also makes clear that if Members of Congress have any right to object to electoral slates, those grounds are limited to the explicit constitutional requirements for candidate and elector eligibility and the 12th Amendment's explicit requirements for elector balloting.

Under our system of elections, Governors must transmit lawful election results to Congress. If they fail to fulfill that duty, our bill provides that candidates for the Presidency should be able to sue in Federal court to ensure that Congress receives a State's lawful certification.

Finally, our bill makes clear that the rules governing an election cannot be changed retroactively. The Constitution assigns an important duty to State legislatures to determine the manner in which the States appoint their electors. This must not be read to allow State legislators to change the rules retroactively to alter the outcome.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. LOFGREN. Madam Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. CHENEY. Madam Speaker, this bill will preserve the rule of law for all future Presidential elections by ensuring that self-interested politicians cannot steal from the people the guarantee that our government derives its power from the consent of the governed.

Madam Speaker, I urge passage of this bill.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Madam Speaker, I thank my friend, Ranking Member DAVIS, for yielding me the time.

I will address something that I heard just a few moments ago from my colleague from Wyoming listing off a number of conservative commentators about how great this bill is, and that is why we should vote on it. Well, see, that is the problem of why we are here right now. None of those conservative commentators are responsible for casting a vote for something that will affect the future of this country.

You see, we are here now making a decision on this issue when we should have been included in this process all along. I am not calling into question whether this bill is good or whether this bill is bad. What I am saying is we have not been involved in this process, and we are being told to just take the word of someone because they call themselves a conservative commentator.

It is those of us here who have been elected by the people of this Nation that are given the responsibility to analyze these things, to work together in a bipartisan manner to come up with what is the best solution for this Nation. That is not where we are.

A partisan-run committee is the one who has rushed this bill to the floor, and we are being told that we need to work on it and that it is imperative we pass it now.

Don't get me wrong, I agree that we ought to take a closer look at the Electoral College Act. I agree that we should clarify some of the mechanisms of the act, and I certainly agree that we should be working to prevent another breach of security of this Capitol as we saw on January 6.

With all that said, we can't afford a one-sided, no-compromises discussion crafted by a partisan select committee, which is what we are being presented with in this bill, at least from the perception that we have at this moment.

So, my question is: Why now? Why has the January 6th Committee chosen this moment to pursue this legislation instead of working together in a true bipartisan manner, engaging Republicans and Democrats together in a broader perspective?

You see, the American people are smart enough, and they know the answer to this question. The January 6th Committee has really wasted more than a year. Instead of looking into how the security of this building was breached, they have been looking for a year for evidence of some vast conspiracy on January 6, 2021, with nothing to show for it. They have spent days falsely accusing me and some of my other colleagues of wrongdoing in the days prior to the January 6 incidents without producing any substantial evidence to back up their claims. Why? Because it doesn't exist.

Now, with midterm elections looming and the prospect of a new majority in the House and the Senate, they feel they need to justify the time they have wasted by inserting themselves into what was once a bipartisan, bicameral discussion of the Electoral Count Reform Act.

In the meantime, House Republicans have taken concrete steps to promote confidence in elections at every level of government. We have introduced legislation that would reaffirm States' constitutional sovereignty over elections rather than trampling it. We have done this because the American people are tired of hearing about January 6.

The American people care about the growing cost of living, the declining economy, and the uncontrolled spending, which has caused mass inflation.

The American people want to be confident that their vote counts in every election, that they can trust the ballot box, and their concerns won't be ignored by lawmakers in Washington.

I will close with this. The American people don't need the January 6th Committee to tell them what is broken in this country. They look at their declining paycheck and the rising cost of groceries, and they see this body focused on the past instead of correcting their future.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. LOUDERMILK. Madam Speaker, they see that this body and its reckless spending is why we have record inflation in this moment.

For that reason, I encourage my colleagues to vote "no" on the Presidential Election Reform Act, and then let's work together on something that will work for the American people.

Ms. LOFGREN. Madam Speaker, the January 6th Committee has as its obligation to recommend legislative changes that would make the country safer. We have done that.

I will say that the partisan split in the House Administration Committee has always been six majority, three minority. On the select committee, it is not that far off, seven majority, two minority.

We have worked together, and I hear Mr. DAVIS' concern that he didn't participate. It wasn't me. It was Leader MCCARTHY that withdrew his name. Had his name been left in, he would have been a member of the committee, and he would have been able to participate in the obligation our committee has undertaken.

Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), our majority leader.

Mr. HOYER. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, Congress has a sacred duty to uphold our elections and to safeguard our democratic process. I rise in strong support of that mission.

I am not surprised that we hear on this floor the rationalization of insurrection, the rationalization of what I believe was treason.

I rise with extraordinary respect for the gentlewoman from Wyoming, as Republican as any Member of that side of the aisle, save a willingness to stand and speak truth to power, to honor facts, to honor the Constitution.

□ 1515

I applaud her for it and have deep respect for her willingness to stand up today and for history.

The gentleman from Georgia called January 6 an incident. The Republican National Committee passed a resolution, almost overwhelmingly, that referred to January 6 as legitimate political discourse: see no evil, speak no evil, hear no evil.

I hear my friend, Mr. DAVIS, speaking about this being a partisan issue. This is an American issue. This is a democracy issue. This is a values issue.

To those who come to this well or speak from the floor to try to rationalize the invitation given by President Trump—the incitement stated by President Trump—and the deployment of a mob to fight like hell and stop the steal—I advise my colleagues and I urge my colleagues to look at Vice President Gore's comments when he lost the election 5-4. He honored the Court's decision, not because he agreed

with it, but because he said it was good for America and our democracy.

I call attention to the remarks of Hillary Clinton when she lost to President Trump. That night, knowing that she had gotten 3 million more votes, she conceded because the law is the electoral college makes that decision.

In 1864, despite the turmoil of Civil War, President Lincoln—President Lincoln would be standing with LIZ CHENEY if he were on this floor. President Lincoln went to great lengths to ensure that Americans had the opportunity to make their voices heard in a national election. He argued that “We cannot have free government without elections,” and that “if the rebellion could force us to forego or postpone a national election, it might fairly claim to have already conquered and ruined us.”

LIZ CHENEY has said that, not exactly in those words, but it is exactly the same substance of what Abraham Lincoln said over a century and a half ago.

We came face to face with a similar danger on January 6 last year. It was rationalized then, and, sadly, it is being rationalized now. History will judge.

The insurrection revealed a willful and false refusal to accept the certified and judicially confirmed election results. The gentleman from Illinois said that the Trump administration went to the courts. They lost time after time after time after time, and to this day, they do not accept what Al Gore accepted, that we are a nation of laws and not of one man.

There are ambiguities in our electoral system, and they can jeopardize our democracy. That is what this bill is about: upholding our democracy.

Questions surrounding the Vice President's role in counting electoral votes served as a pretext for the insurrectionists' assault on the Capitol. Fortunately, their conspiracy and their plot failed. In that incident that the gentleman from Georgia talked about, police officers died, civilians died, and hundreds were injured severely in that incident.

What a polite word for treason and insurrection.

That tragic and dangerous episode, however, underscored the importance of clarifying any uncertainties that future malevolent actors could exploit to undermine the will of the American people as expressed through their votes.

I went to the Charles County Fair last weekend. I went to the Democratic booth. As I always do, I went to the Republican booth, and the biggest sign was: Trump won.

We are a nation of laws. Try to respect a nation of laws. The bipartisan legislation the Presidential Election Reform Act provides the clarity necessary.

It reaffirms, as former Vice President Mike Pence correctly concluded—which is why those incidents were calling for the death of the Vice President

with a noose hanging out in front of the Capitol and why they were calling for the life of the Speaker of the House in that incident—that he did not have, and he does not have the authority to delay or reject the counting of electoral votes.

Why?

Because we are a nation of laws and a nation of the Constitution. That principle was established in both the Constitution and the Electoral Count Act of 1887.

Not only would this legislation raise the threshold required to object to a State's slate of electors from the ridiculously low one House Member and one Senator to one-third of the membership—at least 152 million people ought to be given that respect who voted in that election—at least one-third of us would have to rise to overturn their judgment.

This bill also restricts the grounds on which objections can be made, limiting the ability of Members to lodge frivolous and partisan objections.

The bill also contains important provisions to restrict the ability of State and local elected and election officials to undermine or overturn the process of tabulating and certifying results in their jurisdictions. People elect the President, not State legislators, and not this Congress. The American people elect the President.

Not only do these measures align with the overwhelming consensus—not just conservative commentators, but commentators of all stripes whether ideological or not, believe this is a good piece of legislation. I share their view.

No individual or group of conspirators ought to have the power to subvert the will of the American people.

I thank the Committee on House Administration Chair ZOE LOFGREN, and I share the remarks of the gentlewoman from Wyoming about her integrity, her intellect, and her conscientious carrying out of her duties as a Member of the Congress. Indeed, Vice-Chair CHENEY's work on this bill and the January 6 Committee will go down as one of this institution's greatest examples of political courage and integrity.

Madam Speaker, I thank the gentlewoman for her work.

Similarly, I thank Chairwoman CAROLYN MALONEY and her colleagues on the House Oversight and Reform Committee for their work investigating vulnerabilities in our democratic process.

We must now come together not as Republicans, not as Democrats, and not as partisans, but as protectors. We raised our hands and said that we would protect the Constitution and laws of this Nation. This is one of those days that we get to meet that oath.

Let me conclude because not only did Lincoln argue that elections were essential to free government, but he also made clear his belief that “elections belong to the people. It is their choice.”

That is what this legislation is about. Stand up for your country. Stand up for the people. Vote for this bill.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 17 minutes remaining. The gentlewoman from California has 19 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, it is always good to follow my good friend, Leader HOYER. I appreciate his friendship, and I appreciate his time here in this institution. He has seen a lot of things happen in the governing of this country. I respect him and his viewpoint.

It is frustrating when we also hear comments from my colleague, Leader HOYER. Back on January 25 of this year he was quoted in a Politico story where he said that President Biden is correct that the midterm elections will be illegitimate if Congress doesn't pass the Democrats' election takeover bills.

This is part of the rhetoric that we have got to stop. We have got to make sure that we remind everybody, as Leader HOYER did, my good friend, that this is an American issue. It is not a partisan issue. The processes have worked.

I want to know, if it is an American issue and not a partisan issue, Madam Speaker, why, then, were we not even consulted as the committee of jurisdiction minority members?

I would have loved to have been able to sit down and come up with a bipartisan solution. No Republican—no Republican—that I know or that I respect thinks that the violence on January 6, which we all witnessed, is okay.

I think it was a terrible day. I think, again, anyone who committed those acts and those crimes should be held accountable to the fullest extent of the law. Let's be clear: They broke the law. It doesn't matter what you are protesting, Madam Speaker, if you break the law.

Madam Speaker, if you are rioting in the streets, looting stores and businesses, and committing the crimes across this country that we have seen exacerbated because of the Biden administration's lack of effort in enforcing these activities to be adjudicated, then do you know what? They should be held accountable. Arrest them, prosecute them, and put them in jail.

Leader HOYER also said this bill and this process should not be about one man. I agree. I agree. But, unfortunately, this bill is nothing short of being only about that one man. This is too important of an issue to make this about an individual that you may or may not like or that you may or may not want to run for President ever again. This bill and this process is too important for the future of America.

Madam Speaker, my good friend, Mr. HOYER, brought up Hillary Clinton. She actually denied the results of the 2016 Presidential elections and believes

there were legitimate questions regarding the integrity of the 2004 Presidential election. She said that Stacey Abrams would have won the 2018 gubernatorial election against Governor Brian Kemp if it had been fair.

Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. STEIL).

Mr. STEIL. Madam Speaker, I thank the gentleman from Illinois for yielding.

Madam Speaker, when I saw that there was going to be a bill rushed to the House floor with 5 days remaining in a legislative calendar without a committee hearing, I thought maybe the Democratic majority would be rushing to the floor a bill to address inflation that is clobbering the American people.

No.

I thought maybe they would be rushing to the floor a bill to address the crime crisis that is plaguing cities across the United States.

But no.

I thought maybe there would be a bill rushed to the House floor without a committee hearing 51 hours after the text was introduced to address the crisis taking place at our border and the millions of immigrants coming into the United States illegally and the fentanyl that is coming across our U.S.-Mexico border and killing thousands of Americans.

But no.

So what is so important that a bill needs to be rushed to the House floor without any committee hearing to review and analyze the bill?

And it is the Presidential Election Reform Act.

As the ranking member of the Subcommittee on Elections of the House Administration Committee, I have to admit I am disappointed we didn't have the opportunity to thoughtfully review the legislation before us.

□ 1530

In fact, we haven't had a hearing in the Subcommittee on Elections since July. So I think now is our moment, unfortunately, with only 30 minutes on the minority's side, to actually dive in and analyze the legislation before us.

With any important piece of legislation, in particular, one like this that impacts our national elections and the elections of our President, the first question I ask myself is: Will the bill before us boost people's confidence in our election process? The bill fails the test.

I would highlight, in particular, section 4 of this bill that gives candidates a loophole to define what a catastrophic event is, which might include a natural disaster or national health emergency like COVID. Why is this so important?

The candidate for President could—up to a full day following the election—request an extension for the election by up to 5 days if they feel there is a “catastrophic event” that was suffi-

cient to prevent a substantial portion of a State's electorate from casting a ballot on election day.

The bill doesn't properly define catastrophic event. Often in this body, we take the time in committee in regular order to understand what the terms of the bill mean, to give an opportunity to improve the text to provide certainty and clarity to the American people going forward. We are let down by the fact that we are not following regular process in this case.

Instead of continuing to undermine faith in the elections process, we should instead pursue commonsense legislation that supports election integrity and respects the Constitution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield an additional 1 minute to the gentleman from Wisconsin.

Mr. STEIL. Madam Speaker, pursue legislation that respects the Constitution and Federalism, such as legislation like the American Confidence in Elections Act that Ranking Member DAVIS introduced back in July to enhance the integrity in our elections.

We heard earlier the majority leader mention that there is ambiguity in our election system and that is what this is about. If that is what this is about—if we are actually trying to remove the ambiguity in our election system, which is a very worthy cause, why not have a hearing on this bill?

I haven't yet heard one person from the majority's side explain why this bill is being rushed to the floor 51 hours after the text was introduced without using the consideration of the Senate bill as the basis of this legislative text. I think that question needs to be answered today.

We need to actually dive into what this bill does to actually allow the American people to have confidence in our election system. I remain disappointed the House did not take the thoughtful approach that the Senate takes, and I urge my colleagues to vote against the bill.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, just a quick correction. Right now and in the 2020 election, we had States that said, gosh, there is fraud. It was completely bogus, but they tried to monkey with the system. This bill prevents that.

It defines a major natural disaster as any natural catastrophe, including hurricane, tornado, historically significant widespread snowstorm, historically significant widespread flooding, historically significant destructive fire, tidal wave, tsunami, earthquake, or volcanic eruption that prevents a large sector of a State from voting enough that it could impact the election.

Then it limits how long you could accommodate that disaster. The decision isn't made by partisans. It is Federal judges who would make that determination.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. AGUILAR), an esteemed member of the January 6 Select Committee.

Mr. AGUILAR. Madam Speaker, I thank Chair LOFGREN and the vice chair of the January 6 Select Committee, my colleague from Wyoming, LIZ CHENEY, for their leadership in bringing this bill to us.

Madam Speaker, I rise today in support of H.R. 8873, the bipartisan Presidential Election Reform Act. This bill makes important changes to the laws that govern the cornerstone of our democracy, a peaceful transfer of power.

These changes benefit no political party, and they do not give political advantage to any particular candidate. This bill simply protects the rule of law from those who would seek to upend it.

Our Republican colleagues who are opposed to this legislation, once again find themselves on the side of violent extremists. Madam Speaker, after what we saw on January 6 and what the Select Committee has demonstrated, that those seeking to overturn the election were exploiting the vulnerabilities in the law this bill remedies, I am not sure how anyone could oppose this piece of legislation.

The choice before this body is clear: Protect the rule of law, strengthen the Constitution, and vote against insurrection.

Madam Speaker, I urge an “aye” vote.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thought the esteemed Member from California was going to speak a little longer. It caught me a little off guard. I apologize. I am not used to him being that succinct in anything he does but thank you.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), my good friend, another esteemed Member of this institution.

Mr. MCCLINTOCK. Madam Speaker, the Electoral Count Act of 1887 asserts that Congress may vote to disqualify electoral votes. It was misused by the Democrats in 2016 and by Republicans in 2020, attempting to interfere with the constitutionally required tally of electoral votes. I believe both sides were wrong.

Congress has no such power, period. Think about it. Under our Constitution, if no candidate receives a majority of electoral votes, the election immediately passes to the House and Senate. If Congress had the power to pass judgment on the validity of electoral votes, it could simply invalidate enough to place the election in its own hands, an obvious conflict of interest.

That is why the Constitution clearly mandates that the vote shall be counted in the presence of the Congress. Disputes arising from the conduct of elections are the sole province of the courts. Does anyone seriously believe that a Congress of 535 intensely partisan politicians is a safe repository for

the power to adjudicate the integrity of the vote? Well, neither did the Founders.

This measure does narrow the grounds upon which the count can be interfered with by the Congress, but it still allows Congress to invalidate electoral votes. So it does not solve the problem, and it creates new problems by allowing a State to delay its election for up to 5 days after the rest of the Nation's vote is already known.

Can you imagine the chaos and suspicions that that would create? How sad that such an important issue as the electoral count should be handled in so clumsy and partisan a bill as this.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Madam Speaker, January 6 is one of the darkest days in American history. We now know in great detail how the former President and his cronies were attempting to use the electoral certification process to undermine our democracy to take away the people's vote.

They tried to delegitimize a free and fair election with their lies, subvert the results certified and sent by the States, and pressure a Vice President into rejecting his constitutional responsibilities, all of which erupted in violence, hate, and bloodshed right here in our Capitol.

We walked through the blood and broken glass right outside of this Chamber to cast our votes to uphold our democracy. Today, we must vote for the Electoral Count Act to ensure that the rule of law and the will of the people will always prevail in this Chamber and in this country.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentlewoman for yielding. I thank the chair for her patriotic leadership on the House Administration Committee and her invaluable service and leadership as a member of the Select Committee on January 6.

Madam Speaker, I thank her for yielding, but I more importantly thank her for bringing this important legislation to the floor. I salute her leadership and that of Congresswoman LIZ CHENEY, vice chair of the January 6 Select Committee, a principled and courageous voice for freedom in our country.

This legislation is a manifestation of their courage, their patriotism, and their determination in our mission to save American democracy. I thank Chairwoman LOFGREN and Vice Chair CHENEY.

Madam Speaker, we are really the beneficiaries of such greatness in our country's history. One of our Founders, Thomas Paine, said that the times

have found them to declare independence; to fight a war for independence against the greatest naval power that existed at the time; to win that war under leadership of our great patriarch, George Washington, and then to write our founding documents. Thank God they made them amendable so that we could have expanding freedom in our country.

One of their early documents, the Declaration of Independence, has been called by some the greatest document of the millennium, of a thousand years.

Some years later the Union was under threat. Abraham Lincoln—this is long before he was President—Abraham Lincoln delivered a stark warning about the state of our Union. Speaking in Springfield in 1837, more than two decades before the Civil War, he diagnosed a dangerous erosion of our democracy. "They were pillars of the temple of liberty," Lincoln said, referring to the generation of Americans who fought for independence and served as living proof of the importance of democracy. He continued: "... now that they have crumbled away, that temple must fall unless we, their descendants, supply their places with other pillars ..."

His words ring just as true today as we confront a dire threat to our democracy and a duty to supply new pillars to preserve it.

On January 6, 2021, an insurrection erupted at the Capitol, seeking to nullify the results of a free and fair election. This was a direct assault not only on the Capitol, but on our Constitution, on the rule of law, and on democracy itself; a direct assault on the Constitution because the Constitution said that day that the Congress would, again, certify the election of Joe Biden and KAMALA HARRIS per the Constitution by presenting the electoral college vote. So that was an assault on the Constitution. That was that day. It wasn't just any day; it was the day that the Constitution was supposed to be honored.

Now, we have a solemn duty to ensure that future efforts to undermine elections cannot succeed. That is why the House established the Select Committee on January 6, to find the truth of the attack and ensure that it could never happen again. Since then, there have been attempts across the country to nullify future elections.

□ 1545

That is why, today, we are taking historic and bipartisan legislative action to safeguard the integrity of future Presidential elections.

The Presidential Election Reform Act takes four necessary steps.

First, the bill reaffirms that under the Constitution, the Vice President has no authority to reject a slate of electors or delay the count in any way. This was the heart of the former President's illegal, false electoral scheme.

Second, the bill directly limits the types of objections to only those out-

lined in the Constitution, which can be raised during certification. You just can't raise any and all, but those that are allowed in the Constitution. All objections would require one-third of each Chamber to be entertained and a majority to be sustained.

Third, our bill requires Governors to transmit lawful election results to Congress or be compelled to by a Federal court. Under this proposal, no rogue Governor can unlawfully subvert the will of the people, the heart of a democracy expressed in the democratic electoral process.

Fourth, our bill makes crystal clear that States cannot change the rules governing an election after the election has occurred—did you hear that? "Cannot change the rules governing an election after the election has occurred"—preventing radical State legislators from attempting to nullify the election. I keep using that word, "nullify."

These changes are imperative right now. Emboldened by January 6, politicians are waging a sinister campaign across America, the country, to subvert our future elections, peddling the big lie that the 2022 election was stolen; assembling an army of operatives to intimidate voters at the polls and poll workers, as well; and even threatening to reverse results for which they disagree.

Wait a minute. We are talking about a democracy. "Threatening to reverse results for which they disagree."

Let me be clear: This is a kitchen table issue for families. We must ensure that this antidemocratic plot cannot succeed.

It is a kitchen table issue because denying the American people their fundamental freedom to choose their own leaders denies them their voice in the policies we pursue. Those policies can make an immense difference in their everyday lives, on top of which we have a responsibility. We take an oath to protect and defend the Constitution of the United States.

This legislation is in furtherance of honoring that oath of office so that our children, our grandchildren, future generations, know that they live in a great democracy that cannot be undermined for political reasons.

Madam Speaker, every Member knows that January 6 was an attempt to subvert democracy, but many across the aisle refuse to admit the truth. They refused to admit the truth that very night with blood on the floor, glass on the floor, and all the rest when we came in to honor our constitutional responsibility.

Overwhelmingly, others on the other side of the aisle voted not to accept the results of the people in the election.

Now, House Republican leaders are whipping against this necessary measure. To all those who oppose this legislation, I ask you: How could anyone vote against free and fair elections, a cornerstone of our Constitution? How could anyone vote against our Founders' vision, placing power in the hands

of the people? How could anyone vote against their own constituents, allowing radical politicians to rip away their say in our democracy?

Decades after Lincoln's stark warning, the future he foretold, a crumbling of the pillars of democracy, came to pass with a Civil War. One year into the horror and devastation, President Lincoln called on the Congress to come together to save the Union.

In his message, he wrote—this is when he is President—“We shall nobly save, or meanly lose, the last best hope of Earth.” We “hold the power and bear the responsibility.”

Today, American democracy, “the last best hope of Earth,” is again in grave danger, and its fate is in our hands.

So, I implore every Member to heed Lincoln's words, to stand up for the rule of law and our Constitution. In doing so, we pass on a vibrant democracy for generations to come—America, the beacon of hope in the world; this building, a symbol, a temple of democracy, synonymous with freedom and democracy throughout the world, which was assaulted, but we must correct it.

Madam Speaker, I urge a resounding bipartisan “aye” vote on the Presidential Election Reform Act.

In gratitude to Madam Chair ZOE LOFGREN, chair of the House Administration Committee and a member of the January 6th Committee, and our very distinguished vice chair of the January 6th Committee, thank you for your patriotism. Thank you for your leadership. Thank you for your courage.

Madam Speaker, I urge an “aye” vote.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 7½ minutes remaining. The gentlewoman from California has 15 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I include in the RECORD a tweet from Speaker PELOSI on May 16, 2017, that says: “Our election was hijacked. There is no question. Congress has a duty to #ProtectOurDemocracy and #FollowTheFacts.”

I couldn't agree more. We need to follow the facts.

The Speaker asked: How can one vote against this bill? Well, I would say: How can we vote for a bill that was completely done without any consultation?

Here is what I hope, Madam Speaker. I was actually comforted somewhat during the Rules testimony yesterday when my colleague, Chairperson LOFGREN, mentioned that the goal of the majority is to watch this bill pass—I have many concerns with it; I laid those out yesterday, and I will lay them out again—but hope the Senate passes the version that we could have used as the basis and the starting point

here in the House, and then we could go to conference committee.

Okay, I hope it happens. I am not going to hold my breath, but I certainly hope it happens. I reiterate my desire for that to be a process where we can finally come together in a bipartisan way. Again, I am cautiously optimistic.

Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, just a correction. What I actually said in the Rules Committee is I hope we pass this bill. The Senate will pass a bill. They are doing a markup in the Rules Committee next week. If they are different, there is generally a conference committee.

Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, I thank Chairwoman LOFGREN and Vice Chair CHENEY for their distinguished leadership on this incredibly important issue.

Madam Speaker, I rise today in strong support of the Presidential Election Reform Act.

Our democracy is fragile. Democracy is not a spectator sport. Democracy is not a self-executing proposition. Democracy does not simply run on autopilot.

It requires all of us to remain engaged, particularly because we are confronting a diabolical adversary who is determined to undermine the principle of free and fair elections, undermine the rule of law, and undermine the peaceful transfer of power.

Certainly, our democracy is not perfect, but it is worth saving. That is why it is so critically important that we act with the fierce urgency of now to defend the Republic against tyranny, protect the principle of free and fair elections, and continue America's long, necessary, and majestic march toward a more perfect Union.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield 1½ minutes to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ).

Ms. LEGER FERNANDEZ. Madam Speaker, I thank Chair LOFGREN for the hard work that she and her cosponsor, Representative CHENEY, have done on this bill.

I rise today to safeguard a simple yet sacred pillar of our democracy: The candidate who wins the election takes office. Only the voters' votes count. It will not be overturned by our Vice President or any State officer or any threats of political violence, threats, intimidation, and lies. We cannot let violence undermine over 200 years of a peaceful transfer of power in this country.

I rise today to safeguard the rights of every American to have their will reflected in those public servants lucky enough to serve them.

We must not forget January 6. Our Republican colleagues fighting this bill seem to forget that January 6 was a violent day of action. We must pass this bill so that we do not have a repetition of that.

Today, I will vote for the Presidential Election Reform Act to fulfill a hopeful future for our country. American democracy is the best answer to fulfilling our Constitution's promise of inclusion for everyone, regardless of race, ethnicity, creed, or economic circumstance.

A truly inclusive democracy that helps everyone thrive is a constitutional promise we can and must make a reality.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Madam Speaker, I rise today in support of the Presidential Election Reform Act.

January 6, 2021, will forever be known as one of the darkest days in our Nation's history, which threatened the very survival of our democracy. Incited by a former President, a violent mob stormed the Capitol, intent on preventing the peaceful transfer of power upon which our democracy depends.

Thankfully, they failed, and Vice President Mike Pence fulfilled his constitutional duty to oversee the counting of the electoral votes. No matter what President Trump and his cronies claim, the Vice President of the United States has no legal authority to reject, delay, or otherwise obstruct the counting of the electoral votes.

Yet, there are those who continue to spew the big lie and undermine the legitimacy of future elections. So, today, we must reject these dangerous voices and pass the Presidential Election Reform Act so that we can safeguard our democracy from any attempt to overturn the will of the people.

We came perilously close to losing our democracy on January 6, 2021. Let us come together to protect the rule of law and prevent any similar assault on our democracy from ever happening again.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Wyoming (Ms. CHENEY), the vice chair of the January 6th Select Committee.

Ms. CHENEY. Madam Speaker, I am struck listening to my colleagues today on both sides of the aisle. The concept that I think we have to make sure we never lose sight of is that some things have to matter, and we, as individuals, determine whether or not our institutions survive.

We have heard consistently since January 6—actually, in the weeks just after January 6, we were in agreement. But shortly after that, we began to

hear excuses about what had happened. We began to hear people defending the indefensible.

Madam Speaker, I urge my colleagues to recognize that when you defend the indefensible, slowly but surely, you chip away at the great foundations of this Republic. You chip away at those very things that we are sworn to protect.

This bill is an excellent bill. This bill is a bill that will help to protect the rule of law. This bill is a bill that will help to ensure that future elections cannot be stolen. This bill will ensure that, in the future, the United States Congress is very clear that we have a very limited number of objections that can be made, if any can be made at all, and those are strictly limited to those outlined in the Constitution.

□ 1600

This bill is a very important and crucial bill to ensure that what happened on January 6 never happens again.

It saddens me, Madam Speaker, that my colleagues on this side of the aisle continue to play politics. I can tell you that is not what we are doing on the January 6th Committee. My colleagues ought to watch the hearings on the January 6th Committee. We have been very clear in terms of putting forward what happened and in terms of putting forth former-President Trump's responsibility and role in every aspect of the attack that happened that day.

Contrary, again, to the assertions my friend and colleague from Illinois made previously, what happened on January 6 was not the normal functioning of our democracy. President Trump had every right to bring those cases in court, but he did not have the right, and it was a fundamental violation of his oath of office, to refuse to abide by the rulings of the court.

Madam Speaker, we are a Nation of laws, not of men. I urge my colleagues to pass this bill. It is a very good bill.

Ms. LOFGREN. Madam Speaker, we are prepared to close, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I had the opportunity to testify yesterday before the Committee on Rules about how this process has been highly partisan, and that I would have welcomed an opportunity to work on the Electoral Count Act reforms in a bipartisan way—just like the Senate did.

There is one quote from my friend, Ranking Member TOM COLE, that I want to share. As he said, "Given all the majority's righteous and high-minded talk over the last 2 years about how democracy itself is in peril, don't you think it would be better served to have operated through regular order with real Member buy-in on a topic that is as important to the American people as this one?"

That is how the Senate handled this task—in a bipartisan matter driven to-

ward finding consensus. Why shouldn't the House operate in the same way? Instead here in the House, every outreach made by Republicans to work on this issue was rebuffed.

This bill tramples on State sovereignty. While the Constitution gives States the authority to make and interpret their own State laws, this bill would grant Congress unprecedented authority to determine what State law is.

Second, there is a provision of this bill that gives candidates the ability to broadly define catastrophic events—which could include major natural disasters or acts of terrorism—and then use that event to extend the balloting after the polls close for up to 5 days.

Think about it. A candidate could pull a Pelosi and request a change in the rules supposedly because of the COVID-19 pandemic, despite the fact that the majority of the country has moved on—including President Biden who declared the pandemic is over, just to extend voting for 5 more days for their political benefit.

Or remember just last year, when President Biden's FBI labeled concerned parents attending their children's school PTA meetings domestic terrorists?

With many polling at schools, a candidate could try to claim that parents meeting is a catastrophic event. We also can't forget that many Democrats have claimed that Republican-led States with newly enacted election integrity laws like Florida are suppressing voters.

Could a candidate then try to claim voter suppression because they don't like their State's laws and then request the polls stay open once they see election results that aren't going their way?

This bill would create a new private right of action for all Presidential candidates or their electors and specifically expand the scope of the right to tabulate.

This creates a big question as to how and if Congress has the authority to require candidates to go to Federal court to force them to follow State law.

I mean, I can just picture the field day election lawyers like sanctioned Democrat Marc Elias would have with these provisions all while creating mass confusion for voters who will question if their vote was even counted. Voters don't need Congress to come in and overcomplicate the ECA process that has worked for the last 135 years.

As a reminder, we came back the night of January 6, after the tragic events that we all witnessed here in this Capitol, and we certified Joe Biden as President and KAMALA HARRIS as Vice President.

What voters want is to show up on election day, easily cast their ballot, know that their ballot is counted in accordance with the law, and for election results to come in later that night. But this bill doesn't do that. Instead, it could very well do the opposite.

This bill does nothing to prevent another mob from attacking the Capitol. Neither Mike Pence doing what every Vice President in history has done nor lawful constitutional objections being filed caused a mob to attack—and clarifying those responsibilities won't prevent another mob.

That is why this bill won't even see the light of day over in the Senate and why we should have used the bipartisan Senate version as a starting point. Maybe then we could actually enact some necessary updates to improve and clarify the certification process and focus on the big unanswered problem—the security of the Capitol. Bad actors by definition don't follow the law so any changes made to the Electoral Count Act aren't a silver bullet.

As I have been saying this entire Congress, we need to be focused on why the Capitol was left so unprotected on that day in January. Why was a mob able to breach one of the most significant buildings on our planet?

Again, I invite all of my Democrat colleagues to work with me to improve the security of this Capitol and the people it holds. That is how we prevent another attack.

Madam Speaker, I urge my colleagues to oppose this bill because it is both bad process and bad policy. The American people deserve better. They deserve to have full confidence in the election process and the outcomes.

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

Ms. LOFGREN. Madam Speaker, may I inquire how much time remains?

The SPEAKER pro tempore (Ms. MCCOLLUM). The gentlewoman has 9½ minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

I think it is important to talk about the January 6th Select Committee. Since its creation more than a year ago, the select committee has given substantial attention to the issues related to the Electoral Count Act and its need for reform.

Let's recall that in addition to finding out all the facts of the events leading up to January 6, the select committee is tasked with recommending changes in the law or in procedures that will prevent such an occurrence in the future.

The select committee has devoted multiple public hearings, over more than 4½ hours, to issues related to the Electoral Count Act and the former President's efforts to overturn the election on January 6.

During these hearings, the committee heard from at least four witnesses regarding the electoral college votes and other issues related to the act.

Importantly, conservative judge, Michael Luttig, who is a legal expert and served in the Reagan administration and was appointed by President H.W. Bush to the United States Court of Appeals for the Fourth Circuit, testified



before the select committee that the Electoral Count Act, “. . . is not only a work in progress for the country, but at this moment in history an important work in progress that needs to take place.”

He testified with reference to the Electoral Count Act that, “. . . Donald Trump and his allies and supporters are a clear and present danger to American democracy.”

Now, why is that?

Because even though the presiding officer of the Senate, the Vice President, has never had more than a ministerial role to play in the counting of the votes, the former President told people that he could change the outcome. He said so in his speech. He said so in tweets. He threatened the Vice President. And we saw that that armed mob that came here to attack us believed what the former President said.

In fact, they read allowed the tweets as he delivered them, and how Mike Pence had disappointed him.

Madam Speaker, Judge Luttig said this about the bill that Ms. CHENEY and I have introduced: “Had this bill, the Presidential Election Reform Act, been the law during the 2020 Presidential election, there never would have been the fateful January 6 that the country witnessed and experienced that day.”

He also went on to say this bill is masterfully drafted. Now, why would he say that?

Well, it is. But we also sought his considered judgment and expertise as we crafted this bill.

Madam Speaker, I include in the RECORD his remarks on this:

This week, Congresswoman LIZ CHENEY and Congresswoman ZOE LOFGREN introduced a bipartisan bill in the House to reform the Electoral Count Act of 1887. This bill represents a comprehensive and compelling Rule of Law overhaul of the anachronistic ECA.

Had this bill, the Presidential Election Reform Act, been the law during the 2020 Presidential election, there never would have been the fateful January 6 that the country witnessed and experienced that day.

Indeed, had this bill been the law before the 1876 presidential election, which was the impetus for the current Electoral Count Act, the country never would have experienced the election upheaval of that quadrennial presidential election.

The Cheney-Lofgren bill is masterfully drafted so as to require the state governors to transmit to Congress only what are defined by the bill as the ‘conclusive’ electoral votes for the presidency representing the popular vote of the states, a transmittal that will only occur after any and all disputes over those votes have been resolved by the state and federal courts.

Then, during the Joint Session, Congress will be allowed only a few, very narrow grounds to object to these ‘conclusive’ votes, all of which grounds are related to the technical constitutional qualifications of the electors or their electoral votes.

Thirty percent of each, the Senate and the House, must concur in an objection in order for it to be put before the two Chambers of Congress for resolution and decision. An objection must be agreed upon by fifty percent of both chambers in order for it to be sustained.

With the Cheney-Lofgren bipartisan bill scheduled to be voted on in the House tomorrow, it now appears that there is not only bipartisan, but also bicameral, support for the desperately-needed reform of the ECA.

I urge the Senate and the House to quickly conference and resolve their differences in a law that will ensure there will never again be another January 6 in America.

Madam Speaker, this is a bill that has been well received across the political spectrum.

Now, we have got a Wall Street Journal report saying: “The good news is that the House now has a bill to update the 1887 Electoral Count Act. . . .” They go on to say, “There’s no excuse for Congress’s delay in fixing this invitation to political trouble.”

Madam Speaker, I include in the RECORD an article from the Wall Street Journal and an article from the Washington Post.

[From the Wall Street Journal, Sept. 20, 2022]

LIZ CHENEY’S ELECTORAL COUNT ACT BILL TO  
STOP A JAN. 6 REPEAT  
(By the Editorial Board)

The good news is that the House now has a bill to update the 1887 Electoral Count Act, the antiquated law implicated in the Jan. 6 Capitol riot. Even better, the legislation unveiled this week by Republican Liz Cheney and Democrat Zoe Lofgren reads like it’s an improvement, in some respects, of the Senate version.

The House plan says the Vice President’s role when Congress tallies the Electoral College “is ministerial.” The VP can’t on his own “order any delay in counting.” This responds to President Trump’s claim in 2020 that Mike Pence could seize control of the joint session. Mr. Trump’s legal argument relied on a lack of clarity in the 12th Amendment, which can’t be fixed by statute. Still, it would be helpful to have Mr. Trump’s theory contradicted by the law and Congress’s explicit procedure.

The House bill says Electoral College certificates “shall be accepted as conclusive” if submitted by a state’s Governor, unless a court orders otherwise. If a rogue Governor refuses to certify the real winner, federal courts could “direct another official of the State” to complete the job. A three-judge panel would preside, with appeal to the Supreme Court. The date for electors to vote would be pushed to Dec. 23, providing more room for challenges to play out.

Where the House bill might be an improvement is in making it harder for partisans in Congress who want to get C-Span-famous to lodge phony Electoral College objections. Only a specified set of complaints would be heard, such as if a state sends too many electors; if electors vote on the wrong day or are ineligible; or if the presidential or vice presidential candidate is ineligible. No whining on the House floor that somebody had a funny feeling about the vote totals in west southeastern Pennsylvania.

The Senate bill offers similar finality to the Governor’s certificate. Yet it would continue to permit Congress to object vaguely that an elector’s vote wasn’t “regularly given.” That’s the same phrase Congress has abused for years, and in 2020 an alarming 147 House and Senate Republicans objected. An ideal reform would stop this grandstanding. Hence, the House bill’s idea to enumerate specific grounds for legitimate objections.

Ms. Cheney and Ms. Lofgren also propose to lift the threshold for objections. Under the current Electoral Count Act, a single

Senator working with a single Representative can force Congress to debate their wild claims. The Senate bill would require signatures from a fifth of each chamber. The House bill raises that to a third. How about they keep going and compromise at two fifths? More is better, but requiring 33 Senators is better than needing only Sen. Josh Hawley or Rep. Jim Clyburn.

The best approach remains for lawmakers to get out of this objection business and leave such disputes to the courts. The House bill retains a purported authority to reject Electoral College votes if Congress decides that the incoming President is constitutionally ineligible. But isn’t 14 days before Inauguration Day a little late for that, folks? Imagine if President Trump wins a landslide in 2024 and then Democrats move to invalidate his electors, saying that Mr. Trump led an “insurrection” as defined under the 14th Amendment.

Perhaps it’s unrealistic to expect lawmakers to give up the power they arrogated in 1887, but the madness of Jan. 6, 2021, should have made a convincing case. It’s asking for trouble to enshrine any political process for overturning the will of the voters two weeks before the transfer of power is scheduled to take place. Last time it was voting machines in Michigan, and before that it was Russian interference, and before that it was voting machines in Ohio . . . but it’s always something for Congress’s partisans.

Nevertheless, a bill to make that prospect less likely goes in the right direction, especially if it cuts off the microphone for the sour grapes and conspiracy theories that marred the counting after 2000, 2004, 2016 and 2020.

This reform should have been the top priority for Congress and the Jan. 6 committee from the beginning, but their priority has been replaying the riot rather than trying to prevent the next one. Let’s hope it isn’t too late in this Congress to get this done at last.

[From the Washington Post, Sept. 20, 2022]  
OPINION A NEW AND IMPROVED VERSION OF  
ELECTORAL COUNT ACT REFORM  
(By Jennifer Rubin)

The compromise proposal that Senate negotiators cobbled together earlier this year to reform the 1887 Electoral Count Act was a good start to prevent a repeat of the 2020 coup attempt. But the bill was far from perfect, as testimony before the Senate Rules Committee highlighted.

Fortunately, two members of the House select committee investigating the Jan. 6 insurrection, Reps. Liz Cheney (R-Wyo.) and Zoe Lofgren (D-Calif.) put forth their own improved version on Monday, as described in an opinion piece for the Wall Street Journal.

Their proposal makes a number of key changes to the law, which stipulates the certification of electoral votes. For example:

It confirms that the vice president has only a ceremonial role.

It specifies that members of Congress can only object to electoral votes if they concern “the explicit constitutional requirements for candidate and elector eligibility and the 12th Amendment’s explicit requirements for elector balloting.” Interestingly, the proposal makes clear that one objection might be that the candidate is ineligible under Section 3 of the 14th Amendment, which bars from federal office anyone who “engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.” In other words, it would serve as a trip wire for challenging former president Donald Trump on the basis that he instigated an “insurrection.”

It raises the threshold for Congress to vote on an objection from one lawmaker in each chamber to one-third of each chamber.

The proposal also avoids some of the confusing language included in the Senate proposal regarding state certification. The House version is a helpful and precise description of the correct process:

Governors must transmit lawful election results to Congress; if they fail to fulfill that duty, or another official prevents the lawful results from being transmitted, candidates for the presidency should be able to sue in federal court to ensure that Congress receives the state's lawful certificate. These suits would occur before Congress counts electoral votes, and should ensure, in all cases where one candidate has the majority of electoral votes, that Congress's proceeding on Jan. 6 is purely ministerial.

Ms. LOFGREN. Madam Speaker, I was very happy to get that support from the organization, from *The Wall Street Journal*, but we also got kudos from Cato, that well-known conservative institution, that they say this bill is actually more conservative and originalist as compared to other measures.

It is not every day that the Center for American Progress and the Cato Institute see it the same way. But they do in this case. Both organizations, right to left, agree that this is an appropriate step to take and that it will help make our country safer.

Madam Speaker, I would address a couple other issues before closing.

First, it is unfortunate that my friend, Mr. DAVIS, has said something that is clearly inaccurate. In the bill itself it defines what is a disaster. It is not somebody saying, gosh, there's COVID. It is a tightly defined set of catastrophes that will be decided by a Federal three-judge panel and will be limited just in time and scope so that people could have their votes cast and counted.

I also want to address something I think is very unfortunate, the suggestion that somehow I had a role in trying to overturn the election in Iowa. Nothing could be further from the truth.

The Federal Contested Election Act says this:

A candidate challenging an election, is required within 30 days after the result of their election, to file with the clerk and serve upon the contestee written notice of the intention to contest an election.

Once that is done, it is assigned to the House administration committee. It wasn't my idea. That is what our rule says. And there is a process that has to be undertaken.

Now, we didn't finish that process because the contestee withdrew, which was her right, and frankly, I was glad that the matter was terminated. But that is just what the law requires.

Madam Speaker, I would make a final comment about the objections under this proposed law. It is true that Members of both sides of the aisle have randomly objected to certification of the electoral college. I think, honestly, that is unfortunate. But we never saw a majority of one party vote to overturn the election as we did on January 6 of 2020.

What this bill would do would be to make sure you could never have those

kinds of objections in the future. We did some research. We believe that under our bill, not a single objection in the last 100 years would have been allowed under this bill. The last example was a disagreement in 1873 about whether a candidate who passed away after the election still qualified as a person for Article II purposes. That would be covered under the limited set.

But this would put an end to using frivolous challenges to the electoral count. And that is another good reason why we should pass this bill today.

Madam Speaker, 234 years ago, the authors of *The Federalist Papers* asked this: "Who are to be the electors of the Federal Representatives? Not the rich, more than the poor; not the learned, more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscurity. . . . The electors are to be the great body of the people of the United States."

That is the message that resonates to this day. This bill will ensure that the voice of the American people is the final word on the future of our Republic.

All told, the reforms in this bill confine Congress to its true narrow role in Presidential elections under the 12th Amendment.

I hope and trust that my colleagues on both sides of the aisle would join us in this critical effort to protect American democracy and to ensure, in President Lincoln's words at Gettysburg, "that government of the people, by the people," and "for the people" long endures.

Madam Speaker, I urge all my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1372, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 203, not voting 1, as follows:

[Roll No. 449]

YEAS—229

Adams	Bourdeaux	Cartwright
Aguilar	Bowman	Case
Allred	Boyle, Brendan	Casten
Auchincloss	F.	Castor (FL)
Axne	Brown (MD)	Castro (TX)
Barragán	Brown (OH)	Cheney
Bass	Brownley	Cheffins
Beatty	Bush	McCormick
Bera	Bustos	Chu
Beyer	Butterfield	Cicilline
Bishop (GA)	Carbajal	Clark (MA)
Blumenauer	Cárdenas	Clarke (NY)
Blunt Rochester	Carson	Cleaver
Bonamici	Carter (LA)	Clyburn

Cohen	Kildee	Porter
Connolly	Kilmer	Pressley
Cooper	Kim (NJ)	Price (NC)
Correa	Kind	Quigley
Costa	Kinzing	Raskin
Courtney	Kirkpatrick	Rice (NY)
Craig	Krishnamoorthi	Rice (SC)
Crow	Kuster	Ross
Cuellar	Lamb	Roybal-Allard
Davids (KS)	Langevin	Ruiz
Davis, Danny K.	Larsen (WA)	Ruppersberger
Dean	Larson (CT)	Rush
DeFazio	Lawrence	Ryan (NY)
DeGette	Lawson (FL)	Ryan (OH)
DeLauro	Lee (CA)	Sánchez
DelBene	Lee (NV)	Sarbanes
Demings	Leger Fernandez	Scanlon
DeSaulnier	Levin (CA)	Schakowsky
Deutch	Levin (MI)	Schiff
Dingell	Lieu	Schneider
Doggett	Lofgren	Schrader
Doyle, Michael	Lowenthal	Schrier
F.	Luria	Scott (VA)
Escobar	Lynch	Scott, David
Eshoo	Malinowski	Sewell
Españat	Maloney,	Sherman
Evans	Carolyn B.	Sherrill
Fletcher	Maloney, Sean	Sires
Foster	Manning	Slotkin
Frankel, Lois	Matsui	Smith (WA)
Gallego	McBath	Soto
Garamendi	McCollum	Spanberger
Garcia (IL)	McEachin	Speier
Garcia (TX)	McGovern	Stansbury
Golden	McNerney	Stanton
Gomez	Meeks	Stevens
Gonzalez (OH)	Meijer	Strickland
Gonzalez,	Meng	Suozi
Vicente	Mfume	Swalwell
Gottheimer	Moore (WI)	Takano
Green, Al (TX)	Morelle	Thompson (CA)
Grijalva	Moulton	Thompson (MS)
Harder (CA)	Mryan	Titus
Hayes	Murphy (FL)	Tlaib
Herrera Beutler	Nadler	Tonko
Higgins (NY)	Napolitano	Torres (CA)
Himes	Neal	Torres (NY)
Horsford	Neguse	Trahan
Houlahan	Newman	Trone
Hoyer	Norcross	Underwood
Huffman	O'Halleran	Upton
Jackson Lee	Ocasio-Cortez	Veasey
Jacobs (CA)	Omar	Velázquez
Jacobs (NY)	Pallone	Wasserman
Jayapal	Panetta	Schultz
Jeffries	Pappas	Waters
Johnson (GA)	Pascarell	Watson Coleman
Johnson (TX)	Payne	Welch
Jones	Pelosi	Wexton
Kahele	Peltola	Wild
Kaptur	Perlmutter	Williams (GA)
Katko	Peters	Wilson (FL)
Keating	Phillips	Yarmuth
Kelly (IL)	Pingree	
Khanna	Pocan	

NAYS—203

Aderholt	Carter (TX)	Foxx
Allen	Cawthorn	Franklin, C.
Amodei	Chabot	Scott
Armstrong	Cline	Fulcher
Arrington	Cloud	Gaetz
Babin	Clyde	Gallagher
Bacon	Cole	Garbarino
Baird	Comer	García (CA)
Balderson	Conway	Gibbs
Banks	Crawford	Gimenez
Barr	Crenshaw	Gohmert
Bentz	Curtis	Gonzales, Tony
Bergman	Davidson	Good (VA)
Bice (OK)	Davis, Rodney	Gooden (TX)
Biggs	DesJarlais	Gosar
Bilirakis	Diaz-Balart	Granger
Bishop (NC)	Donalds	Graves (LA)
Boebert	Duncan	Graves (MO)
Bost	Dunn	Green (TN)
Brady	Ellzey	Greene (GA)
Brooks	Emmer	Griffith
Buchanan	Estes	Grothman
Buck	Fallon	Guest
Bucshon	Feenstra	Guthrie
Budd	Ferguson	Harris
Burchett	Finstad	Harshbarger
Burgess	Fischbach	Hartzler
Calvert	Fitzgerald	Hern
Cammack	Fitzpatrick	Herrell
Carey	Fleischmann	Hice (GA)
Carl	Flood	Higgins (LA)
Carter (GA)	Flores	Hill

Hinson	McClintock	Scott, Austin
Hollingsworth	McHenry	Sempolinski
Hudson	McKinley	Sessions
Huizenga	Meuser	Simpson
Issa	Miller (IL)	Smith (MO)
Jackson	Miller (WV)	Smith (NE)
Johnson (LA)	Miller-Meeks	Smith (NJ)
Johnson (OH)	Moolenaar	Smucker
Johnson (SD)	Mooney	Spartz
Jordan	Moore (AL)	Stauber
Joyce (OH)	Moore (UT)	Steel
Joyce (PA)	Mullin	Stefanik
Keller	Murphy (NC)	Steil
Kelly (MS)	Nehls	Steube
Kelly (PA)	Newhouse	Stewart
Kim (CA)	Norman	Taylor
Kustoff	Obernolte	Tenney
LaHood	Owens	Thompson (PA)
LaMalfa	Palazzo	Tiffany
Lamborn	Palmer	Timmons
Latta	Pence	Turner
LaTurner	Perry	Valadao
Lesko	Pfluger	Van Drew
Letlow	Posey	Van Duyn
Long	Reschenthaler	Wagner
Loudermilk	Rodgers (WA)	Walberg
Lucas	Rogers (AL)	Waltz
Luetkemeyer	Rogers (KY)	Weber (TX)
Mace	Rose	Webster (FL)
Malliotakis	Rosendale	Wenstrup
Mann	Rouzer	Westerman
Massie	Roy	Williams (TX)
Mast	Rutherford	Wilson (SC)
McCarthy	Salazar	Wittman
McCaul	Scalise	Womack
McClain	Schweikert	Zeldin

## NOT VOTING—1

Vargas

□ 1656

Mr. McNERNEY changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Granger (Ellzey)	Napolitano
Bass (Correa)	Johnson (TX)	(Correa)
Brown (MD)	(Jeffries)	Newman (Beyer)
(Ruppersberger)	Kinzinger	Palazzo
Bush (Bowman)	(Meijer)	(Fleischmann)
Chu (Beyer)	Kirkpatrick	Payne (Pallone)
Conway	(Pallone)	Ryan (OH)
(Valadao)	Lamb (Pallone)	(Correa)
DeFazio	Loudermilk	Sánchez
(Pallone)	(Fleischmann)	(Pallone)
Garcia (IL)	McEachin	Swalwell
(Correa)	(Beyer)	(Correa)
Gomez (Evans)	Meng (Escobar)	

MOURNING THE LOSS OF BEN AND  
MAX MORRISSEY

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

Ms. KAPTUR. Madam Speaker, I rise today with deep sadness to pay tribute to two highly-skilled U.S. Steel workers, brothers, Ben and Max Morrissey, who tragically lost their lives at the British Petroleum Refinery in my hometown. Yesterday, while on the job at the BP Husky plant in Oregon, Ohio, their lives were cut short in a horrific explosion.

Responsible citizens, husbands, and fathers who performed America's essential work that drives progress and our American way of life forward, these brave men will never again return home to their dear families. They leave behind very young children who will come to understand the gravity of their fathers' loss.

My heart goes out to their precious families and with their brothers and sisters in the United Steelworkers Local 1-346 who lost two beloved friends.

In our grief, we also extend our deep gratitude to the brave first responders who rushed to the scene, provided aid, and helped keep our community safe.

Today is a heartbreaking day for the people of northwest Ohio. We have flown flags in honor of Ben and Max Morrissey high above the U.S. Capitol today. We lift up the memory of them to their loved ones in our hearts, and we pray that they may find solace and comfort in the memories that they will always have of their treasured husbands, fathers, and sons, and that together they may heal.

May God be with them all.

REFORMING THE ELECTORAL  
COUNT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, I rise today to support the Presidential Election Reform Act which is long overdue.

As I stand in the well, I can still see the images of January 6, 2021. I can hear the gunfire. I can hear and see the directions of our very able Capitol Police to tell Members to hit the ground. I can see the banging on the doors.

Thank goodness this act will reform the electoral count to ensure that Congress counts the votes as required by the Constitution, including by ensuring that Congress receive a single accurate electoral count certificate from each State—no phony electors as evidenced by President Trump's attempt to bring down this Nation.

Requiring that the States select electors to accomplish this in accordance with State law existing as of the last election, it will reaffirm that the Vice President's role at the count is ministerial, raise the objection threshold to one-third instead of one person, one Member, and limit the explicit constitutional grounds upon which Members may object to a State electoral vote. They will list the explicit constitutional grounds. There will be order to the process.

This is a democracy admired around the world. We must defend this democracy, and we are defending it by voting today on the Presidential Election Reform Act. This is what we should do, the Presidential Election Reform Act.

## FARMERS NEED WATER

(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, with the 50th anniversary of the Clean Water Act, it is important to remind the Biden administration that Congress did not give the EPA jurisdiction

over every puddle in America, despite what they are trying to claim.

The 2015 Waters of the United States rule was nothing short of a land and water grab that gave bureaucrats the ability to meddle in intermittent and ephemeral streams, such as the kind farmers use for draining and irrigation.

Under the 2015 WOTUS rule, the EPA could fine farmers thousands of dollars if they simply rotated from one crop to another on their own land without first gaining permission from a Government entity.

Then the Trump administration, through the Navigable Waters Protection Rule, eliminated the significant nexus standard set by the WOTUS rule which solved much of the overreach and uncertainty around it.

The Navigable Waters Protection Rule clearly identified WOTUS in six categories and made further clarifications of the definitions of tributaries and adjacent wetlands.

So I was very dismayed by the EPA's and U.S. Corps of Engineers' decision to reverse the 2020 Navigable Waters Protection Rule and restart the rule-making process around the definition of what is a navigable water.

If President Biden were serious about helping farmers grow food to supply Americans and the world during this global food shortage, he would return to the Navigable Waters Protection Rule to give farmers certainty and then customers at the grocery store shelf certainty in price and availability of food.

## YOUTH MENTAL HEALTH

The SPEAKER pro tempore (Ms. STANSBURY). Under the Speaker's announced policy of January 4, 2021, the gentleman from New York (Mr. BOWMAN) is recognized for 60 minutes as the designee of the majority leader.

## GENERAL LEAVE

Mr. BOWMAN. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. BOWMAN. Madam Speaker, tonight, I am convening a Special Order hour for the Congressional Progressive Caucus, and we are focused on the urgent matter of our children's mental health, which is in crisis.

Madam Speaker, I want everyone listening to me now to think about their childhood.

What stressors, if any, did you experience?

What kept you up at night?

What made your heart skip a beat or your palms sweaty?

What seemed completely overwhelming?

Now think of who was there to help you, listen to you, and comfort you.