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2nd Session }

COMMITTEE PRINT

FULL COMMITTEE BUSINESS MEETING:  
MARKUP OF RESOLUTION RECOMMENDING  
THAT THE HOUSE OF REPRESENTATIVES  
FIND UNITED STATES ATTORNEY GENERAL  
MERRICK B. GARLAND IN CONTEMPT OF  
CONGRESS FOR REFUSAL TO COMPLY WITH  
A SUBPOENA DULY ISSUED BY THE  
COMMITTEE ON OVERSIGHT AND  
ACCOUNTABILITY

FOR THE  
COMMITTEE ON  
OVERSIGHT AND ACCOUNTABILITY  
U.S. HOUSE OF REPRESENTATIVES  
ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

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MAY 16, 2024  
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- \* Comer Campaign email; submitted by Rep. Moskowitz.
- \* Transcript, October 8, 2023, Special Counsel Hur; submitted by Rep. Raskin.
- \* Transcript, October 9, 2023, Special Counsel Hur; submitted by Rep. Raskin.

*Documents are available at: docs.house.gov.*



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**Thursday, May 16, 2024**

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 8:08 p.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Jordan, Gosar, Foxx, Grothman, Cloud, Palmer, Higgins, Sessions, Biggs, Mace, LaTurner, Fallon, Donalds, Perry, Timmons, Burchett, Greene, Boebert, Fry, Luna, Langworthy, Burlison, Waltz, Raskin, Norton, Lynch, Connolly, Krishnamoorthi, Mfume, Ocasio-Cortez, Porter, Bush, Brown, Stansbury, Garcia, Frost, Lee, Casar, Crockett, Goldman, Moskowitz, Tlaib, and Pressley.

Chairman COMER. The Committee will please come to order. A quorum is present.

Without objection, the Chair is authorized to declare a recess at any time.

Pursuant to Committee Rule 5(b) and House Rule XI, Clause 2, the Chair may postpone further proceedings today on the question of approving any measure or matter or adopting an amendment on which a recorded vote or the yeas and nays are ordered.

Now pursuant to notice, I call up a report containing a resolution recommending that the House of Representatives find Attorney General Merrick Garland in contempt of Congress for refusal to comply with a subpoena duly issued by this Committee.

The clerk will report the report, which has been distributed in advance.

The CLERK. A report containing a House resolution recommending that the House of Representatives find Attorney General

Merrick Garland in contempt of Congress for refusal to comply with a subpoena is duly issued by this Committee.

Chairman COMER. I ask unanimous consent that the report be considered as read and open for amendment at any point.

Without objection, so ordered.

The Chair recognizes himself to offer an amendment in the nature of a substitute.

The clerk will please report the amendment.

The CLERK. An amendment in the nature of a substitute offered to the Contempt Report as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read, and the substitute will be considered as original text for the purposes of further amendment.

I now recognize myself for 5 minutes for a statement on the report.

Mr. DONALDS. Mr. Chairman?

Chairman COMER. Yes, sir?

The Chair recognizes Mr. Donalds.

Mr. DONALDS. Mr. Chairman, for the purposes of this hearing, I move that debate be structured to 1 hour on the ANS, 30 minutes each side, and 10 minutes on every debate that might be entered during this hearing of the Oversight Committee.

Mr. BURCHETT. Second.

Mr. RASKIN. Mr. Chairman?

Mr. LYNCH. Objection.

Mr. RASKIN. I object to that.

Chairman COMER. All right. There is an objection, so we will vote.

Mr. LYNCH. Mr. Chair, may we be heard on the motion?

Chairman COMER. Yes. There is a motion. All right. We will suspend.

Mr. RASKIN. Mr. Chairman, my objection consists of this. He cannot move to override the rules of the House of Representatives, and we know exactly how debate is to occur, which is the way we usually proceed in debate. So, I do not think we have the power to do that.

Mr. DONALDS. Mr. Chairman, if I may, this Committee has already done that earlier in this very Congress. We went into structured debate on a couple of items a few months ago.

Mr. RASKIN. Yes, by unanimous consent only, so I have objected to it. I mean, if the gentleman wants to take it to a vote, we can take it to a vote.

Mr. LYNCH. Would the gentleman yield?

Mr. RASKIN. By all means. Why do we want to limit debate on this anyway?

Mr. LYNCH. Yes. If I may, I rise in support—

Chairman COMER. OK. We are going to suspend and call the parliamentarian to get the official ruling, correct?

Mr. RASKIN. OK.

Chairman COMER. So, it may take, I am estimating, 5 minutes.

Mr. RASKIN. Fine, Mr. Chairman. In the meantime, I have a parliamentary inquiry of my own. Can you—

Chairman COMER. Well, I think we are suspended.

Mr. RASKIN. Oh. I just thought in order to save time, if you had other parliamentary inquiries you could take them. No?

Chairman COMER. No. Let us get the ruling from the parliamentarian, then we will proceed.

[Pause.]

Chairman COMER. The Committee will come back to order.

The motion is out of order.

I will now recognize myself for a 5-minute opening statement.

Mr. RASKIN. Mr. Chairman, can I just pursue my parliamentary inquiry?

Chairman COMER. Proceed.

Mr. RASKIN. Will you just explain why this markup was delayed to 8 p.m., throwing everybody's schedule into chaos today and the building is closed to the public? Why was that done?

Chairman COMER. OK. That is not an appropriate inquiry.

Mr. RASKIN. The time of the meeting is not an appropriate procedural inquiry?

Chairman COMER. Your inquiry is not an appropriate parliamentary inquiry, so let us get back to order.

I recognize myself for an opening statement.

[Poster]

Today's markup initiates contempt of Congress proceedings against U.S. Attorney Merrick Garland for defying a subpoena from the Oversight Committee. The Committee's February subpoena required the Department of Justice to produce audio recordings of President Biden's interview with the special counsel investigating his mishandling and improper disclosure of classified materials. The Department has chosen not to produce them. That is why we are here today.

This is not a complicated subject. The Oversight Committee requires these audio recordings, and the Department of Justice has refused to provide them. We are not in court. The accommodations process has been exhausted. We are not making a request. The subpoena requires production. We are not requiring anything that interferes with an ongoing investigation. The special counsel already concluded his investigation by choosing not to charge President Biden because he is an "elderly man with a poor memory."

This morning, the Department of Justice informed the Committee that the President has asserted executive privilege over the audio recordings of the President's interview with Special Counsel Hur. President Biden's decision to withhold the audio recording from Congress is alarming. The Committee has already obtained the transcript of the interview. President Biden must have something to hide because it does not make sense that he would suppress the audio if the transcript was accurate. There is no substitute, as the many lawyers on this Committee will tell you, for a recording of an actual conversation, not a summary, not a report, not a transcript.

The White House has shown it is willing to alter transcripts to protect Joe Biden's image. We will not simply take the Justice Department's word about this interview. It is not the Department of Justice's decision how to cooperate with a subpoena. Just like the people who receive subpoenas from DOJ do not get to negotiate their compliance. The Department of Justice is not above Congress.

It is not above the law. It is also not President Biden's decision to assert executive privilege on audio recordings when the transcript has already been released. In 1974, the House rejected an attempt by President Nixon to release a transcript instead of subpoenaed audio recordings, and there should be bipartisan support to reject it here, too.

Not long ago, a very distinguished Member of this Committee said, "The lesson is, please tell your children out there in America, if you get a subpoena to go before Congress, if you get a subpoena to go to court, go. You have a legal responsibility to go." That distinguished Member was none other than Ranking Member, Jamie Raskin, in 2022, only 2 years ago. Now, Ranking Member Raskin has spent this Congress making excuses for why people like Hunter Biden or now the Department of Justice do not have to comply with congressional subpoenas.

On January 10, 2023, this Committee announced an investigation into President Biden's mishandling of classified documents. Two days later, on January 12, 2023, the Attorney General announced his intent to appoint a special counsel to oversee the criminal investigation of President Biden. While the special counsel pursued his investigation, the Committee did its own work and found facts that have challenged the White House's official narrative about these classified materials. Months of thorough investigating by this Committee have revealed attempts by the White House to keep the truth from the American people, not just about the documents themselves and why Joe Biden had them, but President Biden's memory and mental capacity to do his job.

The Committee's timeline begins well before the White House's narrative that President Biden's private lawyers just stumbled upon classified materials in November 2022 at the Penn Biden Center. May 24, 2022, 6 months before the White House's story began, the White House counsel, Dana Remus, contacted a Biden former employee to retrieve President Biden's materials from the Penn Biden Center and then traveled there herself to pick up boxes. Why would the most senior lawyer at the White House be going to pack up an office that was supposed to have just pictures and personal documents in it? Why were President Biden's personal lawyers visiting the Penn Biden Center days before the discovery of classified materials if they thought they were just picking up pictures and letters? Why were they calling FedEx to pick up boxes and a White House employee was leaving with boxes before the November 2 discovery?

Now the White House will not permit this Committee to depose Dana Remus. The White House will not allow any of the employees that entered the Penn Biden Center before November 2022 to speak with the Committee. What is the White House afraid of? Why not be transparent and open with this Committee and the American people? For that matter, what are Democrats on this Committee who oppose the release of these audio recordings afraid of? The recordings will just be President Biden speaking. What is it that would make them nervous about that?

It is because they know, once again, President Biden has not been honest. He has not been honest about his family's foreign entanglements. He has not been honest about mishandling classified



documents, and if the Democrats were honest, they would admit President Biden's mental capacity is declining. Americans see it happening every day. In fact, 6 in 10 Americans do not have confidence in Joe Biden's mental capacity.

If the Attorney General wants to defy Congress and not produce the audio recordings, he will face consequences for those actions. The path before us is clear. I urge this Committee to move forward with holding Attorney General Merrick Garland in contempt. I now recognize the Ranking Member.

Mr. RASKIN. Thank you, Mr. Chairman. Ladies and gentlemen, in this special nighttime episode, we resume the madcap comedy mystery series called "Comer's High Crimes and Misadventures: The Hilarious Quest to Impeach a President Who Has Done Nothing Wrong," in a validly low budget, but multimillion-dollar taxpayer-funded production, which most Americans assumed had ended 2 months ago and had completely forgotten about. But tonight, with the cast and crew now fresh back from a surprise visit to New York City—

Ms. GREENE. You mean like the January 6 Committee?

[Disturbance in hearing room.]

Ms. CROCKETT. Uh-uh. Stop it.

Mr. RASKIN. I would like my time restored to me, Mr. Chairman.

Chairman COMER. Order. Order. The Chair recognizes the Ranking Member.

Mr. RASKIN. OK.

[Disturbance in hearing room.]

Chairman COMER. Order. Order. Order.

Mr. RASKIN. Well, tonight with the cast and crew fresh back from their surprise trip to New York City, it is clear the show must go on.

[Photo]

Now, our originally scheduled performance was supposed to be at 11 a.m. today, but it was postponed when Members of the Majority chose to join a mass spiritual pilgrimage to the New York criminal trial of a Florida man, an adjudicated fraudster and rapist, as he faces 34 felony counts of falsifying corporate financial records to cover up \$130,000 paid in hush money to a porn star sex partner. Now, although some people are churlishly complaining that Members should actually be here to vote on public business and should not have forced a last-minute change in the Committee's schedule, our colleagues properly demonstrated for all of history their fierce devotion to this clearly reformed, devout, and pious Florida spiritual leader who many supporters are now calling the Messiah from Mar-a-Lago.

Of course, in the meantime, Chairman Jordan and the House Judiciary Committee preempted—

Mrs. LUNA. Will the gentleman yield?

Mr. RASKIN. No, I am in the middle of my introduction—

Mrs. LUNA. Sir, I appreciate that, but it is a good photo.

Ms. BOEBERT. I would like a copy of that.

Mrs. LUNA. Would you like a signed one, Raskin?

Mr. RASKIN. Yes.

Ms. BOEBERT. I want—

Mr. GOLDMAN. Will you get your Members in order, Mr. Chairman?

Mrs. LUNA. It is a great photo. I want a copy.

Chairman COMER. Order. Order. Order.

Mr. RASKIN. In the meantime, Chairman Jordan in the House Judiciary Committee preempted our GOP colleagues on Oversight, rendering this entire exercise not only absurd but completely meaningless and redundant. They have already held Attorney General Garland purportedly in contempt.

Now, when we last met on this matter, you will recall that the Majority still had not identified a single high crime or misdemeanor that the President had committed. The Committee's impressive 3.8 million pages of documents and 80 hours of testimony from 20 witnesses produced nothing but overwhelming and definitive proof that President Biden had done nothing wrong. So, desperate for a new storyline, Republicans have come up with this astonishing new plot twist. They now propose to hold the Attorney General of the United States in contempt for giving the Committee the information it asked for, and it is information that has absolutely nothing to do with their failed impeachment investigation or any high crimes or misdemeanors.

Now, true fans of the show will recall from prior episodes this plot device of punishing people for complying with Committee orders, but this new episode of not taking "yes" for an answer sends us off into strange new worlds of absurdity where no congressional committee has truly ever gone before. The Majority wanted to know what President Biden said in his voluntary interview with Special Counsel Hur, and maybe there was an impeachable diamond lurking in the rough, so the Justice Department complied with the request. It turned over the 250-page transcript of President Biden's 5-hour interview with the special counsel. We had a hearing on it in this Committee. The special counsel came, and there was nothing impeachable there. If there had been, you would have taken up Mr. Moskowitz's offer, and you would have voted on impeachment after it happened, but you did not.

Committee Members and millions of Americans got to read the entire transcript and can read it right now if they like. We all can learn what the President was asked and see how he answered each and every question, but the Chairman insists that is not enough. He and the rest of America are clearly able to read the interview, but he wants to be able to hear the interview. The book is not sufficient. He wants the audiobook, and because of this gratuitous and comical request, the whole troop now seeks to hold the Attorney General of the United States of America in contempt. Anyone watching can grasp the fallacy cleverly tucked into this new special primetime episode. There is nothing relevant or material that our Committee can learn from an audiotape which we cannot learn from the 250 pages of the transcript. The format of the medium does not change the content of the communications.

So, in this absurd twist, our friends now seek to blame the spectacular belly flop of their own impeachment probe on Attorney General Garland and his sneaky effort to obstruct the investigation by cooperating with it. We know what real obstruction looks like because the last President specialized in it. This President agreed

to sit down for a voluntary 5-hour interview with the special counsel investigating him. Attorney General Garland turned over the complete 250-page transcript interview. That is not obstruction. Real obstruction was Trump and his Administration refusing to provide information Congress requested in more than 100 different congressional investigations and inquiries. And I know that pleases the gentlelady from Georgia because he issued——

Ms. GREENE. I just want to hear Joe Biden. Why cannot the American people hear him?

[Disturbance in hearing room.]

Mr. GOLDMAN. Order, Mr. Chairman. Get her under control.

Mr. RASKIN. President Trump.

[Disturbance in hearing room.]

Mr. RASKIN. President Trump issued an edict. No, I am glad that the gentlelady from Georgia is learning something tonight, OK? The President——

[Disturbance in hearing room.]

Mr. RASKIN. I encourage her to be a good listener, and she has been a good listener.

[Laughter.]

Mr. RASKIN. So, Mr. Chairman, the last President issued an edict directing all Federal officials in his Administration to categorically ignore and reject all congressional subpoenas. Do my colleagues remember that? Do they know that? He told them not to cooperate with any Federal investigation at all by Congress, and we did not hear peep from any of them. That was real obstruction. Real obstruction happened when two Members of this Committee, who may be preparing to vote tonight to hold Attorney General Garland in contempt, brazenly refuse to comply with subpoenas from the U.S. House Select Committee to investigate the January 6 attack on the United States Capitol and still have not responded to those subpoenas.

But now it seems, Mr. Chairman—I just got passed something—that the whole obstruction gimmick may just be a fundraising ploy which demeans the overwhelming legal integrity and impressive theatrical ambitions of this enterprise. I was just handed a mass fundraising email solicitation for your campaign that you sent out this evening, Mr. Chairman, stating that, “Biden and his advisors are terrified that I will release the recordings, forcing the media and Democrats to answer for the dismal decline of Biden’s mental state. This could be the final blow to Biden with swing voters across the country. The Democrats are pulling out all the stops to stop the bleeding. Signed James Comer, Chairman, House Oversight Committee.” Now, I must confess my disappointment to be handed this fundraising solicitation signed by you as Chairman of the House Oversight Committee. I thought that you were serious about the legal enterprise here and not just another political huckster calling hearings to score cheap political points and to make a buck.

Mr. Chairman, I would like to ask unanimous consent to enter into the record the full and complete 250-page transcript of the President’s interview with Special Counsel Hur, which we have now had in our Committee for more than 2 months.

Chairman COMER. Without objection, so ordered.

Mr. RASKIN. And I know that some people may think this is a big Broadway production now with everybody's trip to the Big Apple, but it is high time to close this unhinged series and get back to some semblance of the people's work.

We have the interview transcript. We have the President's words. There is no basis for this outlandish contempt proceeding which only further disgraces our Committee along with Judiciary. Accordingly, Mr. Chairman, and since your Members seem to be in such a hurry to be done with this, I move to immediately adjourn these proceedings.

Ms. LEE. Seconded.

Ms. CROCKETT. I second.

Chairman COMER. So, in your opening statement, you move to adjourn.

Mr. RASKIN. I am moving to adjourn these proceedings.

Ms. LEE. Second.

Chairman COMER. Motion and second.

All those in favor of adjournment, signify by saying aye.

[Chorus of ayes.]

All those opposed, no.

[Chorus of noes.]

Chairman COMER. The noes have it. The motion fails.

Now, do any other Members wish to be heard?

Ms. OCASIO-CORTEZ. Recorded vote.

Chairman COMER. A recorded vote has been requested. The clerk will call the roll.

A procedural vote, we have to vote the old-fashioned way.

The CLERK. Mr. Jordan.

[No response.]

Mr. Turner?

[No response.]

Mr. Gosar?

Mr. GOSAR. No.

The CLERK. Mr. Gosar votes no.

Ms. Foxx?

Ms. FOXX. No.

The CLERK. Ms. Foxx votes no.

Mr. Grothman?

Mr. GROTHMAN. No.

The CLERK. Mr. Grothman votes no.

Mr. Cloud?

Mr. CLOUD. No.

The CLERK. Mr. Cloud votes no.

Mr. Palmer?

Mr. PALMER. No.

The CLERK. Mr. Palmer votes no.

Mr. Higgins?

Mr. HIGGINS. No.

The CLERK. Mr. Higgins votes no.

Mr. Sessions?

Mr. SESSIONS. No.

The CLERK. Mr. Sessions votes no.

Mr. Biggs?

Mr. BIGGS. No.

The CLERK. Mr. Biggs votes no.  
 Ms. Mace?  
 Ms. MACE. No.  
 The CLERK. Ms. Mace votes no.  
 Mr. LaTurner?  
 Mr. LATURNER. No.  
 The CLERK. Mr. LaTurner votes no.  
 Mr. Fallon?  
 Mr. FALLON. No.  
 The CLERK. Mr. Fallon votes no.  
 Mr. Donalds?  
 Mr. DONALDS. No.  
 The CLERK. Mr. Donalds votes no.  
 The CLERK. Mr. Perry?  
 Mr. PERRY. No.  
 The CLERK. Mr. Perry votes no.  
 Mr. Timmons?  
 Mr. TIMMONS. No.  
 The CLERK. Mr. Timmons votes no.  
 Mr. Burchett?  
 Mr. BURCHETT. No.  
 The CLERK. Mr. Burchett votes no.  
 Ms. Greene?  
 Ms. GREENE. No.  
 The CLERK. Ms. Greene votes no.  
 Mrs. McClain?  
 [No response.]  
 Chairman COMER. Ms. Boebert?  
 Ms. BOEBERT. No.  
 The CLERK. Ms. Boebert votes no.  
 Mr. Fry?  
 Mr. FRY. No.  
 The CLERK. Mr. Fry votes no.  
 Mrs. Luna?  
 Mrs. LUNA. No.  
 The CLERK. Mrs. Luna votes no.  
 Mr. Langworthy?  
 Mr. LANGWORTHY. No.  
 The CLERK. Mr. Langworthy votes no.  
 Mr. Burlison?  
 Mr. BURLISON. No.  
 The CLERK. Mr. Burlison votes no.  
 Mr. Waltz?  
 Mr. WALTZ. No.  
 The CLERK. Mr. Waltz votes no.  
 Mr. Raskin?  
 Mr. RASKIN. Aye.  
 The CLERK. Mr. Raskin votes aye.  
 Ms. Norton?  
 Ms. NORTON. Yes.  
 The CLERK. Ms. Norton votes yes.  
 Mr. Lynch?  
 Mr. LYNCH. Aye.  
 The CLERK. Mr. Lynch votes aye.

Mr. Connolly?  
Mr. CONNOLLY. Aye.  
The CLERK. Mr. Connolly votes aye.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHY. Aye.  
The CLERK. Mr. Krishnamoorthi votes aye.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. Aye.  
The CLERK. Mr. Mfume votes aye.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. Aye.  
The CLERK. Ms. Ocasio-Cortez votes aye.  
Ms. Porter?  
Ms. PORTER. Aye.  
The CLERK. Ms. Porter votes aye.  
Ms. Bush?  
[No response.]  
The CLERK. Ms. Brown?  
Ms. BROWN. Yes  
The CLERK. Ms. Brown votes yes.  
Ms. Stansbury?  
Ms. STANSBURY. Yes  
The CLERK. Ms. Stansbury votes yes.  
Mr. Garcia?  
Mr. GARCIA. Aye.  
The CLERK. Mr. Garcia votes aye.  
Mr. Frost?  
Mr. FROST. Yes.  
The CLERK. Mr. Frost votes yes.  
Ms. Lee?  
Ms. LEE. Yes.  
The CLERK. Ms. Lee votes yes.  
Mr. Casar?  
Mr. CASAR. Yes.  
The CLERK. Mr. Casar votes yes.  
Ms. Crockett?  
Ms. CROCKETT. Aye.  
The CLERK. Ms. Crockett votes aye.  
Mr. Goldman?  
Mr. GOLDMAN. Aye.  
The CLERK. Mr. Goldman votes aye.  
Mr. Moskowitz?  
Mr. MOSKOWITZ. Aye.  
The CLERK. Mr. Moskowitz votes aye.  
Ms. Tlaib?  
Ms. TLAIB. Yes.  
The CLERK. Ms. Tlaib votes yes.  
Ms. Pressley?  
Ms. PRESSLEY. Aye.  
The CLERK. Ms. Pressley votes aye.  
Mr. Chairman?  
Chairman COMER. I vote yes, and how did Mr. Jordan vote?

I mean, I vote no. I am sorry. I vote no.

The CLERK. The Chairman votes no.

Chairman COMER. Yes. How is Mr. Jordan recorded?

The CLERK. Mr. Jordan is not recorded.

Mr. JORDAN. No.

The CLERK. Mr. Jordan votes no.

Mr. Chairman, on this vote, the nays are 24. The ayes are 19.

Chairman COMER. The noes have it. The motion to adjourn fails.

Does any other Member—

Mr. MOSKOWITZ. Mr. Chairman, I move to strike the last word.

Chairman COMER. Does any other Member seek recognition?

Mr. MOSKOWITZ. Mr. Chairman, move to strike the last word.

Chairman COMER. The Chair recognizes Mr. Moskowitz.

Mr. MOSKOWITZ. All right. Thank you, Mr. Chairman. All right.

So, welcome to “Oversight After Dark.” If you love James Comer at 11 in the morning, you are really going to love him at 8:30 p.m. So, Members, the hearing was moved today. We do not have to ask the question. The hearing was moved today so that Members could go to New York and attend the Trump hearing. How is he doing? He has complained that he is chilly in the courtroom. Is it chilly? Is it chilly?

Mrs. LUNA. Will the gentleman yield?

Mr. MOSKOWITZ. No. I will assume it is chilly.

Mrs. LUNA. He is doing very good.

Mr. MOSKOWITZ. OK. Good. So, it was mentioned by the Ranking Member about really what we are doing here. You do not have to listen to my words. I would like to do a spirited reading of the campaign email sent out by the Chairman, and it is on lovely stationery. In fact, it says, “From the Desk of the Oversight Chairman.” I am not sure you can do that, but I am not an ethics expert.

It says, “Friend: President Biden is exerting executive privilege in a last-ditch attempt to stop the disastrous audio recording of his interview with special counsel from being released.” And it is highlighted in yellow. Want to make sure people saw that. “Just a few months ago, the White House bragged that Joe Biden had nothing to hide and would not exert executive privilege during Special Counsel Hur’s investigation. They even said he had nothing to hide,” and that is in italics. “Now Biden and his advisors are terrified that I, James Comer, will release the recordings, forcing the media and the Democrats to answer for the dismal decline of Biden’s mental state. He even had Attorney Merrick Garland write a letter saying that his interview falls within the scope of executive privilege. This could be the final blow with swing voters across the country.”

OK. Hold on. We are not done. It gets better. “You and I know he is not up for the job, but the mainstream media’s refusal to report on it as only keeping him in the game. Stand with Comer, the Democrats”——

[Applause.]

[Cheers.]

Mr. MOSKOWITZ. You sure about that? “The Democrats are pulling out all the stops to stop the bleeding. That means coming after me with everything they had. If you are able, we hope you are, I would be so grateful if you would consider making a donation to

my campaign. I sure need it to defend against the onslaught of attacks. Thank you for everything. James Comer, Chairman of the House Oversight Committee.”

Without objection, I would like to enter that into the record.

Chairman COMER. Without objection, so ordered.

Mr. MOSKOWITZ. All right. Beautiful.

So, again, Mr. Chairman, since you think this is the final blow, right, and obviously the Chairman of Judiciary is here, too, we only have June, July, and September before the election. We are not here in August and October. So, I mean, I am sure the American people are paying attention at 11:30 p.m. where you buried this hearing because it is so important. When are we going to do the impeachment of Joe Biden? When is that going to happen? Is it going to be June? Is it going to be July? Is it going to be September? Let us just put it on the calendar. Let us just put it on the calendar. Pick a month. We are available. We were available at 11 a.m. You guys were not. Just pick a month, right, so we can get it on the calendar and do the impeachment. So, hold on, I will give you choices. Ready? June.

Mr. PERRY. We just need the evidence.

Mr. MOSKOWITZ. July.

[No response.]

Mr. MOSKOWITZ. How about September?

[No response.]

Mr. MOSKOWITZ. OK. So, we are never going to schedule this thing. It is never going to happen. He is sending out more subpoenas because he has no evidence, OK, and yet here we go around and around and around, and so we get it. You will raise money off of it. Congratulations to you. If you want, Mr. Chairman, I can get the transcript out. I can do a spirited reading. We can sit here. I will do all 250 pages for you. I will even, like, put on a Biden mask, make it visual so you can really get in the moment. I mean we just want to know, what is it going to take, Mr. Chairman, to get you comfortable.

You go on Newsmax, and you get comfortable. What is it going to take to get you comfortable to ask your friend, Chairman Jordan sitting next to you, when we are going to schedule impeachment. So, we will do it again. Ready, everybody? How about June?

[No response.]

Mr. MOSKOWITZ. July.

[No response.]

Mr. MOSKOWITZ. September.

Ms. BOEBERT. Does the gentleman know how many spare Biden masks there are available in D.C.?

Mr. MOSKOWITZ. I do not, but there is a lot on *Etsy*.

[Laughter.]

Mr. MOSKOWITZ. I mean, you can get lots of things. OK. So, look, I will yield the balance of my time to the Ranking Member if he wants to use the last 45. Oh, you have something to say, Mr. Chairman. Go ahead, please.

Chairman COMER. No, I was going to say you yielded to Ranking Member Raskin—

Mr. MOSKOWITZ. Yes. I am done. I know.

Chairman COMER. He has 30 seconds.



Mr. MOSKOWITZ. Go ahead, Mr. Ranking Member.

Mr. RASKIN. Thank you, Mr. Moskowitz. There is an ethics principle that no solicitation of a campaign or political contribution may be linked to an action taken or to be taken by a Member or employee in his or her official capacity. That is just a reminder to my side. I hope that nobody is linking specific actions that you are taking on the Oversight Committee to campaign contributions or solicitations. And with that I will yield back to the distinguished gentleman from Florida.

Chairman COMER. The time has expired. Does any other Member seek recognition?

Ms. GREENE. Mr. Chairman.

Chairman COMER. The Chair recognizes Ms. Greene.

Ms. GREENE. I would like to know if any of the Democrats on this Committee are employing Judge Merchan's daughter.

Ms. CROCKETT. Please tell me what that has to do with Merrick Garland.

Mrs. LUNA. Goldman.

Mr. RASKIN. Is she a porn star?

Ms. GREENE. Oh, Goldman. That is right. He is advising. OK.

Ms. CROCKETT. He is advising who? Do you know what we are here for? You know we are here about the AG.

Ms. GREENE. I do not think you know what you are here for.

Ms. CROCKETT. Well, you the one talking about—Ms. Greene. I think your fake eyelashes are messing up what you are reading.

Ms. CROCKETT. No, it is nothing—

Chairman COMER. Hold on. Hold on.

[Disturbance in hearing room.]

Chairman COMER. Order.

Mr. GOLDMAN. Mr. Chairman, would you please—

Mr. RASKIN. That is beneath even you, Ms. Greene.

Chairman COMER. Order. Order.

Mr. RASKIN. That is beneath even you.

Mr. GOLDMAN. Mr. Chairman, would you please regain order of your Committee?

Chairman COMER. Order.

Mr. LYNCH. We have a point of order.

Chairman COMER. We have a point of order. Mr. Lynch, state your point.

Mr. LYNCH. Mr. Chairman, I would just like to ask the parliamentarian if your conduct here in raising money in connection with this hearing is referable to the Ethics Committee within this hearing. Is a motion in order to refer your conduct and your abuse of—

Chairman COMER. That is not a point of order.

Ms. OCASIO-CORTEZ. I do have a point of order, and I would like to move to take down Ms. Greene's words. That is absolutely unacceptable. How dare you attack the physical appearance of another person.

Chairman COMER. The meeting will suspend. The meeting will suspend.

Ms. GREENE. Are your feelings hurt?

Ms. OCASIO-CORTEZ. Move her words down.

Ms. GREENE. Aw.

Ms. OCASIO-CORTEZ. Oh, girl. Baby girl.  
 [Laughter.]  
 Ms. GREENE. Oh really?  
 Ms. OCASIO-CORTEZ. Do not even play with me.  
 Ms. GREENE. "Baby girl?" I do not think so.  
 Ms. OCASIO-CORTEZ. We are going to move, and we are going to take your words down. Thank you very much.  
 Mr. MFUME. I second that motion.  
 Chairman COMER. OK. We are suspending.  
 Mr. DONALDS. Mr. Chairman?  
 Chairman COMER. Yes?  
 Mr. DONALDS. So, you remember what I was saying earlier about—  
 [Disturbance in hearing room.]  
 Chairman COMER. The Committee will reconvene. Ms. Greene has 4 minutes and 21 seconds. There is a motion. Ms. Greene, do you wish to strike your words?  
 Ms. GREENE. I have 4 minutes and 21 seconds to speak?  
 Chairman COMER. I think we have to do the motion first, and then, unless there is another motion, then you will be recognized again, but I believe there is another motion coming. So, do you agree to strike your words?  
 Ms. GREENE. Yes, I will agree.  
 Chairman COMER. OK. Ms. Greene agrees to strike her words.  
 Ms. OCASIO-CORTEZ. I believe she needs to apologize.  
 Chairman COMER. The Chair recognizes Mr. Perry.  
 Ms. OCASIO-CORTEZ. No, no, no, she needs to apologize.  
 Chairman COMER. Hold on. Mr. Perry is going to be recognized, then Ms. Greene has 4 minutes and 21 seconds.  
 Ms. GREENE. I am not apologizing.  
 Ms. OCASIO-CORTEZ. Well, then, you are not striking your words.  
 Mr. RASKIN. OK. Reserve the right to object.  
 Ms. GREENE. I am not apologizing.  
 Chairman COMER. Come on, guys.  
 Ms. GREENE. Why don't you debate me?  
 Mr. RASKIN. Mr. Chairman, the Minority—  
 Ms. OCASIO-CORTEZ. I think it is pretty self-evident.  
 Chairman COMER. You are out of order.  
 Ms. GREENE. Yes. You do not have enough intelligence.  
 Chairman COMER. The Chair recognizes Mr. Perry.  
 [Disturbance in hearing room.]  
 Mr. RASKIN. OK. Move to strike the lady's words.  
 Ms. OCASIO-CORTEZ. I would like to strike those words as well.  
 Mr. MFUME. I move to strike those words.  
 Mrs. LUNA. Order.  
 Mr. RASKIN. Move to strike the gentlelady's words again.  
 Ms. OCASIO-CORTEZ. That is two requests to strike. That is two requests to strike.  
 Ms. GREENE. Oh, they cannot take the words.  
 Mr. RASKIN. There is another motion to strike her words again. Please get your Members under control.  
 Chairman COMER. All right. Here is the correct priority. Ms. Greene, do you agree to unanimous consent to strike your words?

Ms. GREENE. I repeat again for the second time, yes, I will strike my words—

Chairman COMER. All right.

Ms. GREENE [continuing]. But I am not apologizing.

Chairman COMER. Without objection.

Ms. GREENE. Not apologizing.

Chairman COMER. Without objection, the Chair recognizes—

Mr. RASKIN. I reserve the right to object.

Chairman COMER. The Chair recognizes Mr. Perry.

Mr. RASKIN. I reserve the right to object.

Mr. PERRY. Mr. Chairman, I move that Mr. Goldman's words and Ms. Ocasio-Cortez's words be stricken.

Chairman COMER. OK.

Mr. RASKIN. Which words, and you have to do it contemporaneously. Object. The objection must be contemporaneous, and they have not spoken in 10 minutes.

Mr. PERRY. Nobody has spoken in 10 minutes.

Mr. RASKIN. That is right, therefore, defeating your proposal.

Mr. PERRY. You all have, so that is my motion, Mr. Chairman.

Mr. RASKIN. Well, I object. It does not refer to anything that is on the Floor. Ms. Ocasio-Cortez objected immediately and instantaneously as you are supposed to do under the rules and precedent—

Mr. TIMMONS. We were in a recess after that.

Mr. RASKIN [continuing]. Of the House of Representatives.

Voice. So, the first time he could move to strike—

Mr. BIGGS. Mr. Chairman, point of parliamentary inquiry.

Chairman COMER. All right. We are going to suspend for a minute, but we will talk to the parliamentarian.

[Pause.]

Chairman COMER. OK. The Committee will come back to order.

So, Ms. Greene asked unanimous consent to strike her words.

Mr. Raskin objected. I am going to recognize Mr. Raskin for his objection. We are not counting against—Ms. Greene has 4 minutes and 21 seconds left. This will not count against her time.

Mr. RASKIN. Thank you, Mr. Chairman. I reserve the right to object because the understanding of the Minority is that the gentlelady from Georgia would move to take her words down and strike her words, and to offer a sincere apology for having engaged in personalities against another Member offending her personal appearance and insulting her. We do not do that in this Committee, and I think the major problem was that we allowed pornography in this Committee, and we have gone down a bad road. But in any event, we should not allow face-to-face, ad hominem insults. It is totally contrary to the rules of the House of Representatives, and I would ask Ms. Greene if she would just make the apology. It is not that complicated. We do not want to get into face-to-face insults.

Ms. GREENE. You will never get an apology out of me. I do not owe you one.

Mr. RASKIN. Then I object. Then I object, Mr. Chairman.

Chairman COMER. Mr. Raskin objects. The Member will state the words he wishes taken down or she wishes down.

Mr. RASKIN. Well, what I heard her to say, but I would like her to repeat the words. What I heard her to say was, and you can take off your fake eyelashes, too.

Well then, what did you say? What did you say, Ms. Greene.

Chairman COMER. I mean, really? I mean——

Mr. RASKIN. The clerk needs to report the words, but those——

Chairman COMER. OK. The clerk——

Mr. RASKIN. That was the sum and substance.

Chairman COMER. The clerk will report the words. The clerk will report the words.

Mr. PALMER. Mr. Chairman? Mr. Chairman?

Mr. RASKIN. We could subpoena the audiotape, Mr. Chair.

[Laughter.]

The CLERK. It will just take us a few minutes to get the words.

Chairman COMER. OK. We will suspend.

[Pause.]

Mr. RASKIN. Mr. Chairman? Mr. Chairman? Mr. Chairman, just a point of order here. I believe there are Members who have been interviewed by the media from their seats. Do we allow that?

Mrs. LUNA. They identify as clerks.

Mr. RASKIN. As clerks?

Mrs. LUNA. You are not respecting their identity?

Chairman COMER. For decorum, the media will evacuate the well, at the request of the—complaint of the Ranking Member.

Ms. MACE. Mr. Chairman? Mr. Chairman, Netflix followed Hunter Biden into this room, and I do not remember anyone across the aisle complaining about Hunter Biden and his TV crew when he came up here.

Chairman COMER. That is a fair point. So, do you withdraw that?

Mr. RASKIN. Yes.

Chairman COMER. OK, Mr. Raskin withdrew this one. Are we ready to proceed and let Ms. Greene finish with her 4 minutes and 21 seconds?

Mr. RASKIN. Well, what is the ruling on the motion to take her words down? I thought we had an agreement. Mr. Chairman, I would just urge you to prevail upon the gentlelady from Georgia—her words——

Chairman COMER. Well, it is very difficult for the stenographer to understand everything with everyone yelling and screaming back and forth. We went through this with the—I would like to make a point—we went through this with some of the things that Mr. Swalwell said in the Hunter Biden deposition. Some of the things that he said negative about our staff and the Members were not picked up by the stenographer, unfortunately, because there was so much yelling.

Mr. RASKIN. Fair enough, Mr. Chairman. But I think we do not want to see a complete descent of our Committee. The verbatim quote of the gentlelady was “I think your fake eyelashes are messing up your reading.” That is what she said. And that is obviously engaging in personalities. It is an ad hominem attack, and I would just ask every Member of this Committee, in a fair-minded way, would you want to be talked to in that way, about your personal appearance, by another Member of the Committee. Because what

we are doing is setting standards going forward. All the gentledady seeks is a simple apology, Ms. Greene.

Chairman COMER. I will say this, for Committee decorum, we are not supposed to engage in personalities of Members. That applies to everyone on both sides of the aisle—Mr. Moskowitz, Ms. Greene—every single Member across the aisle. Can we proceed?

Mr. RASKIN. Well, the motion belongs to the gentledady from New York, Ms. Ocasio-Cortez.

Ms. CROCKETT. Mr. Chairman?

Chairman COMER. OK. Back to order. The clerk will report, stenographer?

The CLERK. Mr. Chairman, there was a lot of over-talking, but as far as we can make out, it is, “And you can remove your false eyelashes, too.”

Chairman COMER. OK.

Mr. RASKIN. Well, let us have a vote on that because I honestly do not think there is a Member on this Committee who would think we should descend to that level of discourse here other than one perhaps. I am sorry. You agree it should be taken down, Mr. Donalds?

Mr. DONALDS. Mr. Raskin, the gentledady from Georgia already said that she would strike down her words. What else are we doing past that point?

Mr. RASKIN. No.

Mr. DONALDS. I did not realize that apologies were a matter of—

Mr. RASKIN. No. The suggestion was made to the Minority that rather than go through the process of formally taking her words down, which means she would not be able to speak for the rest of our hearing, as you know—as you know—that she could continue to speak but she would voluntarily take her words down—

Chairman COMER. All right.

Mr. RASKIN [continuing]. And offer a sincere apology.

Chairman COMER. I am going to rule. I overrule the point of order. It was not personalities. It was indecorous, and I would encourage, again, every Member to abide by Committee decorum, and let us vote. We all know what we are here for. You are either going to vote for it or against it—

Ms. CROCKETT. Mr. Chairman?

Chairman COMER. And the lady from Georgia has 4 minutes and 21 seconds—

Ms. CROCKETT. Mr. Chairman, point of order.

Mr. RASKIN. I appeal the ruling of the Chair, Mr. Chairman, because the rules provide that you cannot insult another Member’s personal appearance or attire, and that is obviously part of engaging in personalities.

Mrs. LUNA. Mr. Chairman? Mr. Chairman? Mr. Chairman?

Chairman COMER. Hold on. Hold on. We have so many motions, we are sitting here trying to—all right. There is now a motion to table Mr. Raskin’s motion.

Mr. RASKIN. No, I was appealing your motion.

Mr. GOSAR. I second the motion.

Chairman COMER. The motion by Mr. Perry, seconded by Mr. Gosar.

Ms. OCASIO-CORTEZ. I do not believe you can table——

Chairman COMER. All those in favor?

Ms. OCASIO-CORTEZ. I do not believe you can. It is not eligible to table. It is not eligible to table.

Mr. MFUME. It is not eligible to table.

Chairman COMER. We can table the appeal. We can table the appeal.

Ms. OCASIO-CORTEZ. I do not know if we can table——

Mr. RASKIN. The underlying motion——

Ms. OCASIO-CORTEZ. Is it his privilege to strike?

Chairman COMER. We can table the appeal. There is a motion and second to table the appeal.

Mr. RASKIN. Just to be clear, your ruling was that she had not engaged in personalities. Is that your ruling?

Ms. GREENE. Mr. Chairman, when do I have my 4 minutes and 21 seconds?

Chairman COMER. I have already ruled. I have already ruled. I have already ruled.

Ms. CROCKETT. Mr. Chairman, point of order.

Chairman COMER. No. There is a motion to vote on it. Is not debatable, motion by Mr. Perry, second by Mr. Gosar, to table.

All those in favor of tabling, signify by saying aye.

[Chorus of ayes.]

Chairman COMER. All those opposed no.

[Chorus of noes.]

The motion passes to table.

Mr. RASKIN. Move for the yeas and the nays.

Chairman COMER. Now, the Chair recognizes Ms. Greene.

Mr. RASKIN. I want to move for the yeas——

Mr. CONNOLLY. A recorded vote.

Chairman COMER. A recorded vote to table has been requested.

The clerk will call the roll on tabling.

The CLERK. Mr. Jordan?

[No response.]

Mrs. LUNA. I have an amendment at the desk.

Chairman COMER. We are voting on a requested roll call vote on whether or not to table. She started the roll call with Mr. Jordan.

The CLERK. Mr. Turner?

[No response.]

The CLERK. Mr. Gosar?

Mr. GOSAR. Yes.

The CLERK. Mr. Gosar votes yes.

Ms. FOXX?

Ms. FOXX. Yes.

The CLERK. Ms. Foxx votes yes.

Mr. Grothman?

Mr. GROTHMAN. Yes.

The CLERK. Mr. Grothman votes yes.

Mr. Cloud?

Mr. CLOUD. Yes.

The CLERK. Mr. Cloud votes yes.

Mr. Palmer?

Mr. PALMER. Aye.

The CLERK. Mr. Palmer votes aye.

Mr. Higgins?  
Mr. HIGGINS. Yes.  
The CLERK. Mr. Higgins votes yes.  
Mr. Sessions?  
Mr. SESSIONS. Aye.  
The CLERK. Mr. Sessions votes aye.  
Mr. Biggs?  
Mr. BIGGS. Aye.  
The CLERK. Mr. Biggs votes aye.  
Ms. Mace?  
Ms. MACE. Aye.  
The CLERK. Ms. Mace votes aye.  
Mr. LaTurner?  
Mr. LATURNER. Aye.  
The CLERK. Mr. LaTurner votes aye.  
Mr. Fallon?  
Mr. FALLON. Aye.  
The CLERK. Mr. Fallon votes aye.  
Mr. Donalds?  
Mr. DONALDS. Yes.  
The CLERK. Mr. Donalds votes yes.  
Mr. Perry?  
Mr. PERRY. Aye.  
The CLERK. Mr. Perry votes aye.  
Mr. Timmons?  
Mr. TIMMONS. Aye.  
The CLERK. Mr. Timmons votes aye.  
Mr. Burchett?  
Mr. BURCHETT. Aye.  
The CLERK. Mr. Burchett votes aye.  
Ms. Greene?  
Ms. GREENE. Aye.  
The CLERK. Ms. Greene votes aye.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. Present.  
The CLERK. Ms. Boebert votes present.  
Mr. Fry?  
Mr. FRY. Aye.  
The CLERK. Mr. Fry votes aye.  
Mrs. Luna?  
Mrs. LUNA. Aye.  
The CLERK. Mrs. Luna votes aye.  
Mr. Langworthy?  
Mr. LANGWORTHY. Aye.  
The CLERK. Mr. Langworthy votes aye.  
Mr. Burlison?  
Mr. BURLISON. Aye.  
The CLERK. Mr. Burlison votes aye.  
Mr. Waltz?  
[No response.]  
The CLERK. Mr. Raskin?  
Mr. RASKIN. No.

The CLERK. Mr. Raskin votes no.  
Ms. Norton?  
Ms. NORTON. No.  
The CLERK. Ms. Norton votes no.  
Mr. Lynch?  
Mr. LYNCH. No.  
The CLERK. Mr. Lynch votes no.  
Mr. Connolly?  
Mr. CONNOLLY. Nay.  
The CLERK. Mr. Connolly votes nay.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHY. No.  
The CLERK. Mr. Krishnamoorthi votes no.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. No.  
The CLERK. Mr. Mfume votes no.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. No.  
The CLERK. Ms. Ocasio-Cortez votes no.  
Ms. Porter?  
Ms. PORTER. No.  
The CLERK. Ms. Porter votes no.  
Ms. Bush?  
[No response.]  
The CLERK. Ms. Brown?  
Ms. BROWN. No.  
The CLERK. Ms. Brown votes no.  
Ms. Stansbury?  
Ms. STANSBURY. No.  
The CLERK. Ms. Stansbury votes no.  
Mr. Garcia?  
Mr. GARCIA. No.  
The CLERK. Mr. Garcia votes no.  
Mr. Frost?  
Mr. FROST. No.  
The CLERK. Mr. Frost votes no.  
Ms. Lee?  
Ms. LEE. No.  
The CLERK. Ms. Lee votes no.  
Mr. Casar?  
Mr. CASAR. No.  
The CLERK. Mr. Casar votes no.  
Ms. Crockett?  
Ms. CROCKETT. No.  
The CLERK. Ms. Crockett votes no.  
Mr. Goldman?  
Mr. GOLDMAN. No.  
The CLERK. Mr. Goldman votes no.  
Mr. Moskowitz?  
Mr. MOSKOWITZ. No.  
The CLERK. Mr. Moskowitz votes no.  
Ms. Tlaib?



Ms. TLAIB. No.  
 The CLERK. Ms. Tlaib votes no.  
 Ms. Pressley?  
 Ms. PRESSLEY. No.  
 The CLERK. Ms. Pressley votes no.  
 Mr. Chairman?  
 Chairman COMER. Yes.  
 The CLERK. Mr. Chairman votes yes.  
 Mr. Chairman, on this vote, the ayes are 21, the nays are 19,  
 with one voting present.  
 Chairman COMER. All right. Motion tabled. Now the Chair recog-  
 nizes Ms. Greene for 4 minutes and 21 seconds.  
 Ms. CROCKETT. Mr. Chair, point of order.  
 Chairman COMER. Who is?  
 Ms. CROCKETT. It is me.  
 Chairman COMER. Ms. Crockett.  
 Ms. CROCKETT. I am just curious just to better understand your  
 ruling. If someone on this Committee then starts talking about  
 somebody's bleach blonde, bad built butch body, that would not be  
 engaging in personalities, correct?  
 Chairman COMER. A what now?  
 [Laughter.]  
 Mrs. LUNA. Chairman, I make a motion to strike those words.  
 Chairman COMER. I do not think that is a parliamentary——  
 Ms. CROCKETT. I am trying to find clarification on what quali-  
 fies——  
 Chairman COMER. I did not——  
 Mrs. LUNA. Chairman, motion to strike those words.  
 Chairman COMER. I have no idea what you just said.  
 Mrs. LUNA. We are not going to do this. Look, you guys earlier,  
 literally just——  
 Ms. OCASIO-CORTEZ. You just voted to do it.  
 Ms. FROST. You all did it first.  
 [Disturbance in hearing room.]  
 Ms. OCASIO-CORTEZ. You just voted to do it.  
 Chairman COMER. Order. Order.  
 Ms. CROCKETT. I am trying to get clarification.  
 Mrs. LUNA. Look, calm down. Calm down.  
 Ms. CROCKETT. No. No, no, no, because this is what you all do.  
 Mrs. LUNA. I would like to get through the proceeding.  
 Ms. CROCKETT. So, I am trying to get clarification——  
 Chairman COMER. Ms. Crockett, you are not recognized.  
 Ms. CROCKETT [continuing]. Since you all want to play games.  
 Chairman COMER. Ms. Crockett.  
 Mrs. LUNA. I cannot hear you with your yelling.  
 Ms. CROCKETT. If you do not want me to be——  
 Mrs. LUNA. Calm down.  
 Ms. CROCKETT. No.  
 Mrs. LUNA. Can you please calm down?  
 Ms. CROCKETT. Do not tell me to calm down.  
 Mrs. LUNA. Calm down. Please calm down.  
 Ms. CROCKETT. Because you all talk noise, and then you cannot  
 take it. Because if I——

Mrs. LUNA. You are out of control. Chairman, can we send her outside to take a break for 5 minutes?

Ms. CROCKETT [continuing]. Come and talk shit about her, you all going to have a problem.

[Disturbance in hearing room.]

Mr. MFUME. Mr. Chairman. Mr. Chairman.

Chairman COMER. Order. All right. OK. Order.

Mrs. LUNA. I do not know why you are acting like that. It is not cute.

Chairman COMER. Order. The Chair recognizes Ms. Greene for 4 minutes and 21 seconds. Four minutes. Let Ms. Greene talk, and then you all can——

Ms. OCASIO-CORTEZ. I move to strike——

Chairman COMER. I will recognize——

Ms. OCASIO-CORTEZ. I move to strike her words for a second time based on her second set of personal remarks, attacking another Member.

Mrs. LUNA. Chairman Comer?

Ms. OCASIO-CORTEZ. Because you all cannot seem——

Mrs. LUNA. I have an amendment at the desk.

Ms. OCASIO-CORTEZ [continuing]. To apply the rules of the Committee——

Mrs. LUNA. This sideshow can stop.

Ms. OCASIO-CORTEZ [continuing]. We have to do this every time.

Ms. GREENE. OK. I am recognized. I am recognized.

Chairman COMER. Order, order.

Ms. GREENE. I am recognized. I am going to go ahead and start talking.

Chairman COMER. Look, I know. I know. Look, I do not know if you have noticed it. I have two hearing aids. I am very deaf. I am not understanding. Everybody is yelling. I am doing the best I can. Can we not recognize Ms. Greene and let her get——

Ms. OCASIO-CORTEZ. We cannot because of the rules of the Committee, Mr. Chair. That is what I am trying to communicate in the present moment.

Chairman COMER. OK. What is the motion? What is the motion?

Ms. OCASIO-CORTEZ. The motion is to strike the gentlelady's words for the second set of remarks. Not the first, the second that apply to me.

Mrs. LUNA. She has no idea. She has no idea.

Chairman COMER. Do we know what the words?

Ms. GREENE. She has no idea. She has no idea. I think, Mr. Chairman, I am the only one recognized right now.

Mr. RASKIN. Well, we objected at the time.

Chairman COMER. Will the Member state the words she wishes struck?

Ms. OCASIO-CORTEZ. Yes. She told me or she asserted that I was not intelligent. These are the specific words. We can have it read by the clerk.

Mr. RASKIN. It was made immediately

Ms. OCASIO-CORTEZ. And it was made immediately. I am not moving now. I am not moving now.

Chairman COMER. I do not think it was timely.

Ms. OCASIO-CORTEZ. It was immediately.

Mr. RASKIN. It was made immediately both by the gentlelady and by me.

Chairman COMER. Guys, look——

Ms. OCASIO-CORTEZ. Mr. Chair, it was made immediately, and you said that you would return to us.

Mr. RASKIN. She said you do not have the intelligence to talk to me, is what she said.

Chairman COMER. The Chair recognizes Ms. Greene for 4 minutes and 21 seconds.

Ms. OCASIO-CORTEZ. Mr. Chair, what is happening with the rule?

Mr. RASKIN. I object to the ruling.

Ms. OCASIO-CORTEZ. We must object.

Mr. RASKIN. If you want to take it up——

Mr. LYNCH. Mr. Chairman, a point of order.

[No response.]

Mr. LYNCH. Mr. Chairman?

Mr. Chairman, on a point of order.

[No response.]

Chairman COMER.

Back in order. The Committee will come back to order.

The Chair rules to strike the words that Ms. Greene said where she said that Ms. Ocasio-Cortez was not——

Mr. RASKIN. That she lacked the intelligence to speak to her——

Chairman COMER. OK. OK.

Mr. RASKIN [continuing]. When, in fact, Ms. Mr. Ocasio-Cortez is a brilliant Member——

Chairman COMER. I did not say it because I did not want you all to get anything on me.

Ms. OCASIO-CORTEZ. No, we should be on the record with what was——

Chairman COMER. OK. We strike the words that she said, “You are not intelligent.” Are we good on that?

Mr. GOLDMAN. No, no——

Ms. OCASIO-CORTEZ. We need——

Chairman COMER. The words have been struck.

Ms. OCASIO-CORTEZ. No, no, no. Whoa.

Mr. GOLDMAN. No, it was to take the words down.

Mr. GOLDMAN. Mr. Chairman——

Chairman COMER. Mr. Goldman, you, you are out of order. Listen——

Mr. GOLDMAN. Mr. Chairman, her motion was to take her words down, not to strike the words.

Chairman COMER. It was to strike the words. That is what Ms. Ocasio-Cortez asked, OK? Now——

Mr. RASKIN. Which is to take them down.

Mr. GOLDMAN. There is no such thing——

Ms. OCASIO-CORTEZ. Which is to take them down.

Mr. RASKIN. Which is to take them down.

Chairman COMER. Which is to take them down. They have been taken down. They have been taken down. All right.

Mr. GOLDMAN. All right. Then that means that Ms. Greene has to leave the Committee. She cannot speak.

Chairman COMER. No, Mr. Goldman, Mr. Goldman, you are out of order. Now, I want everyone—let us comply with decorum.

[Laughter.]

Chairman COMER. The Chair recognizes Ms. Greene for——

Mr. FROST. Mr. Chairman?

Chairman COMER. No, no, no.

Mr. GOLDMAN. Her words were taken down.

Chairman COMER. No. No.

Ms. OCASIO-CORTEZ. No. Her words were taken down. That means she cannot speak.

Chairman COMER. The Chair recognizes——

Mr. GOLDMAN. If her words are stricken, she cannot speak in this hearing. Talk to your parliamentarian. She has to get out.

Mr. RASKIN. Without a motion under unanimous consent, the gentlelady is not permitted to speak for the rest of this session.

Mrs. LUNA. Chairman?

Mr. RASKIN. And we are happy to revive our motion to adjourn, Mr. Chairman.

I think these 17-hour days might not work for us.

Mrs. LUNA. Something about working, huh?

Mr. GOLDMAN. Maybe showing up for a vote.

Mrs. LUNA. You have a lot to say being that you are on retainer for the judge's daughter. Sorry, trust fund kid.

Ms. OCASIO-CORTEZ. We should strike those words, too.

Ms. GREENE. I hope you brought your popcorn.

Voice. Mr. Chairman?

Mrs. LUNA. I will strike those after we strike the fact that they——

Mr. RASKIN. Mr. Chairman?

Mrs. LUNA [continuing]. Are making comments about Marjorie's body.

Mr. RASKIN. Mr. Chairman?

Mrs. LUNA. So, we can do this all night long, but I have a motion——

Mr. RASKIN. Mr. Chairman, this is out of control.

Mrs. LUNA [continuing]. I would like to get.

Mr. RASKIN. We should adjourn, Mr. Chairman.

Mrs. LUNA. Motion at the desk.

Ms. GREENE. I think my body is pretty good. I am going to be 50 this month.

Mr. BIGGS. Mr. Chairman? Point of order.

Ms. GREENE. I am. I turn 50.

Mr. RASKIN. Mr. Chairman?

Ms. GREENE. Pretty good.

Mr. BIGGS. Mr. Chairman?

Ms. GREENE. Thank you.

Ms. STANSBURY. Mr. Chairman?

Ms. GREENE. Thank you. I appreciate that.

Ms. STANSBURY. We have some Members in the room who are drinking inside the hearing room who are not Members of this hearing.

Mr. BIGGS. Mr. Chairman?

Ms. STANSBURY. Mr. Chairman, we have Members who are not on this Committee sitting in the hearing room drinking.

Mr. BIGGS. We have Members talking who have not been recognized. Mr. Chairman, point of inquiry.

[No response.]

Mr. BIGGS. Mr. Chairman, point of inquiry.

Mr. Chairman?

Chairman COMER. We are going to suspend for 5 minutes while our staffs work the parliamentary questions out. So, this Committee—

Mr. BIGGS. Mr. Chair?

Chairman COMER [continuing]. Is suspended 5 minutes. It would be a good time for everyone to go out and take a break.

Ms. BOEBERT. Can we apologize to the American people back home first?

Chairman COMER. Get some fresh air.

Ms. BOEBERT. That would be really great.

Chairman COMER. Five minutes. The Committee will reconvene in 5 minutes.

Ms. BOEBERT. How sorry we are that we are not—

[Recess.]

Chairman COMER. The Committee will reconvene. Members are advised they must observe the House's standard of decorum in debate and conduct. They must speak and act respectfully and may not use disorderly words or unparliamentary language, such as words negative toward your colleagues or engage in personalities toward the President or senator. Does that count for former president?

OK. All right. I move that the gentlelady from Georgia be permitted to proceed in order.

Mr. RASKIN. And would object and ask for recorded vote.

Chairman COMER. Mr. Raskin has requested a recorded vote for my motion to allow the gentlelady from Georgia to proceed. I vote yes.

The clerk will call the roll.

The CLERK. Mr. Jordan?

[No response.]

The CLERK. Mr. Turner?

[No response.]

The CLERK. Mr. Gosar?

Mr. GOSAR. Yes.

The CLERK. Mr. Gosar votes yes.

Ms. Foxx?

[No response.]

The CLERK. Mr. Grothman?

[No response.]

The CLERK. Mr. Cloud?

Mr. CLOUD. Yes.

The CLERK. Mr. Cloud votes yes.

Mr. Palmer?

Mr. PALMER. Aye.

The CLERK. Mr. Palmer votes aye.

Mr. Higgins?

Mr. HIGGINS. Yes.

The CLERK. Mr. Higgins votes yes.

Mr. Sessions?

Mr. SESSIONS. Aye.

The CLERK. Mr. Sessions votes aye.

Mr. Biggs?  
Mr. BIGGS. Aye.  
The CLERK. Mr. Biggs votes aye.  
Ms. Mace?  
Ms. MACE. Aye.  
The CLERK. Ms. Mace votes aye.  
Mr. LaTurner?  
[No response.]  
The CLERK. Mr. Fallon?  
Mr. FALLON. Aye.  
The CLERK. Mr. Fallon votes aye.  
Mr. Donalds?  
Mr. DONALDS. Yes.  
The CLERK. Mr. Donalds votes yes.  
Mr. Perry?  
Mr. PERRY. Aye.  
The CLERK. Mr. Perry votes aye.  
Mr. Timmons?  
Mr. TIMMONS. Aye.  
The CLERK. Mr. Timmons votes aye.  
Mr. Burchett?  
Mr. BURCHETT. Aye.  
The CLERK. Mr. Burchett votes aye.  
Ms. Greene?  
Ms. GREENE. Aye.  
The CLERK. Ms. Greene votes aye.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. No.  
The CLERK. Ms. Boebert votes no.  
Mr. Fry?  
Mr. FRY. Aye.  
The CLERK. Mr. Fry votes aye.  
Mrs. Luna?  
Mrs. LUNA. Aye.  
The CLERK. Mrs. Luna votes aye.  
Mr. Langworthy?  
Mr. LANGWORTHY. Aye.  
The CLERK. Mr. Langworthy votes aye.  
Mr. Burlison?  
Mr. BURLISON. Aye.  
The CLERK. Mr. Burlison votes aye.  
Mr. Waltz?  
Mr. WALTZ. Aye.  
The CLERK. Mr. Waltz votes aye.  
Mr. Raskin?  
Mr. RASKIN. No.  
The CLERK. Mr. Raskin votes no.  
Ms. Norton?  
Ms. NORTON. No.  
The CLERK. Ms. Norton votes no.  
Mr. Lynch?  
Mr. LYNCH. No.

The CLERK. Mr. Lynch votes no.  
Mr. Connolly?  
Mr. CONNOLLY. Nay.  
The CLERK. Mr. Connolly votes nay.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHI. No.  
The CLERK. Mr. Krishnamoorthi votes no.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. No.  
The CLERK. Mr. Mfume votes no.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. No.  
The CLERK. Ms. Ocasio-Cortez votes no.  
Ms. Porter?  
Ms. PORTER. No.  
The CLERK. Ms. Porter votes no.  
Ms. Bush?  
[No response.]  
The CLERK. Ms. Brown?  
Ms. BROWN. No.  
The CLERK. Ms. Brown votes no.  
Ms. Stansbury?  
Ms. STANSBURY. No.  
The CLERK. Ms. Stansbury votes no.  
Mr. Garcia?  
Mr. GARCIA. No.  
The CLERK. Mr. Garcia votes no.  
Mr. Frost?  
Mr. FROST. No.  
The CLERK. Mr. Frost votes no.  
Ms. Lee?  
Ms. LEE. No.  
The CLERK. Ms. Lee votes no.  
Mr. Casar?  
Mr. CASAR. No.  
The CLERK. Mr. Casar votes no.  
Ms. Crockett?  
Ms. CROCKETT. No.  
The CLERK. Ms. Crockett votes no.  
Mr. Goldman?  
Mr. GOLDMAN. Nay.  
The CLERK. Mr. Goldman votes nay.  
Mr. Moskowitz?  
Mr. MOSKOWITZ. Nay.  
The CLERK. Mr. Moskowitz votes nay.  
Ms. Tlaib?  
Ms. TLAIB. No.  
The CLERK. Ms. Tlaib votes no.  
Ms. Pressley?  
Ms. PRESSLEY. Nay.  
The CLERK. Ms. Pressley votes nay.  
Mr. Chairman?

Chairman COMER. Yes.

The CLERK. Mr. Chairman votes yes.

Chairman COMER. How is Mr. Grothman recorded?

The CLERK. Mr. Grothman is not recorded.

Mr. GROTHMAN. I will vote yes.

The CLERK. Mr. Grothman votes yes.

Chairman COMER. How is Mr. LaTurner recorded?

The CLERK. Mr. LaTurner is not recorded.

Mr. LATURNER. Yes.

The CLERK. Mr. LaTurner votes yes.

Chairman COMER. How is Dr. Foxx recorded?

The CLERK. Ms. Foxx is not recorded.

Ms. FOXX. Foxx votes yes.

The CLERK. Ms. Foxx votes yes.

Chairman COMER. How is Mr. Sessions recorded?

The CLERK. Mr. Sessions is recorded as voting aye.

Chairman COMER. Do any other Members wish to vote? Has Nancy voted?

Has Ms. Mace voted? Yes. OK. Well, the clerk can tally the report.

The CLERK. Mr. Chairman, on this vote, the ayes are 22. The nays are 20.

Chairman COMER. The motion passes.

I will now recognize Ms. Greene for 4 minutes and 21 seconds.

Ms. GREENE. Thank you, Mr. Chairman. We are here tonight to hold Merrick Garland in contempt of Congress, and there has been complaint and complaint after complaint from the other side of the aisle. Now, I would like to remind everyone that the American taxpayers were forced to pay millions and millions of dollars for the January 6 Committee last Congress, who was convened during primetime evening hours, and they hired an ABC News executive, James Goldston, to produce these committee hearings. Actually, had the American taxpayers pay for this, and Democrats are complaining about our Committee hearing this evening? I would also like to remind everyone that during the 117th Congress, we would vote until 1 or 2 in the morning many, many times late at night, and that was when Democrats controlled the house.

But the worst thing about the January 6 Committee is that the Speaker broke her own rules when she produced this Committee, created the Committee. The Minority leader appointed Members of Congress to this Committee, and they were denied being able to participate on the January 6 Committee. This Committee operated against the rules of Congress. It was procedurally defective. And today, right now, Peter Navarro is sitting in jail because he was held in contempt of Congress, and, also, Steve Bannon has been held in contempt of Congress and could go to jail soon. Those are the consequences of when the Democrats controlled the House. They broke the rules, and the consequences are people have gone to jail, and they may soon go to jail. And tonight, we are here to hold Merrick Garland in contempt of Congress, and this Committee needs to be able to proceed forward to do that.

I would also like to remind the Committee and anyone watching this, that every single time we hold a Committee hearing in Oversight Committee, the Democrats attack President Trump repeat-



edly. It does not matter what the issue is, does not matter what the topic is. They cannot produce facts. They cannot produce anything to make their arguments. They make it about personal character attacks on the former President of the United States and our Republican Presidential candidate. Every single time, they attack President Trump. They think the way to win an argument is to attack President Trump. You talk about character attacks. It goes on and on.

Also, Members of this Committee attacked me repeatedly over and over and over again constantly, but they are offended when I say something back? And I think this needs to be called out, Mr. Chairman, because the hypocrisy is screaming, and the American people watch it every single day. And I will not apologize for my words, and I will not change them, and I will not tolerate being treated this way constantly on this Committee and in other committees. And I think that if we are going to hold hearings like this and hold Merrick Garland in contempt of Congress, I think we should move forward and go ahead and do that. But the actual behavior that happens across the aisle in this Committee of constant attacks on President Trump are unbelievable, and attacks on President Trump, the weaponized government against President Trump.

I want you to know something. He may be sitting in a New York courtroom with a sham trial with a political judge whose daughter works for Democrats, but I will tell you right now, President Trump is up 10 points in Georgia because the American people see this for exactly what it is. They know what it is, and it is completely wrong. And the fact that our American people's hard-earned tax dollars were spent on the January 6 Committee with no accountability is wrong, too. I think Democrats should be held accountable for that and the wrongs that they have committed, and the fact that Peter Navarro is in jail right now and Steve Bannon may have to go to jail soon.

And, Mr. Chairman, I would ask that we can go ahead and move forward as soon as possible to hold Merrick Garland in contempt of Congress. Thank you.

Chairman COMER. The gentlelady yields. Does any other Member seek recognition? Mr. Garcia?

Mr. GARCIA. Well, thank you, Mr. Chairman. Tonight has been very interesting. I want to just take a moment just to put today in context.

We are here right now at this late hour to accommodate the Majority's field trip to praise their leader, and let us not forget that he left office in disgrace. Yes, gentlelady from Georgia, we are going to talk about that Donald Trump, who stole classified materials and stored them in his bathroom. He was investigated and indicted for his crimes. Now, Attorney General Garland set up a parallel investigation of President Biden's handling of classified documents as well, and that shows the Department of Justice is actually fair and independent. So, to oversee this investigation, he appointed Robert Hur, a former U.S. attorney handpicked by Donald Trump. Robert Hur found no wrongdoing by President Biden—no wrongdoing by President Biden—but he chose to smear President Biden with a totally unprofessional and wrong assessment of the President's age and mental sharpness. Now, as we know, his as-

essment about President Biden was wrong because you can literally yourself read the transcript, which is over 250 pages long.

Now, many of us, especially us Democrats, know the President. He is sharp. He is focused on the big issues. He is dealing with large challenges across the world. Now, the Majority is hyping up this issue to distract us from the fact that Donald Trump keeps embarrassing himself in public, and as much as a gentlelady from Georgia and others may not like it, we know that Trump's public statements have been crazy and incoherent for years. And we know that he is too tired and sleepy to stay awake through his own criminal trial. It is not President Biden who is not sharp. It is, in fact, Donald Trump.

Now, let us look at public reporting. I am only going to talk about public reporting. His criminal trial started on April 15, and here is a summary of the press reports. On his first day of his trial, *Reuters* reported that Trump appeared to doze off during jury selection. On April 16, it was reported that Trump dropped his head inside the courtroom, keeping his eyes closed before jolting his head upright. On April 19, the *New York Times* reported, Trump's eyes remained "closed for extended periods" during the final day of jury selection. On April 22, MSNBC reported that Trump's lawyers were fighting to keep him awake. On April 30, NBC and the *New York Times* reported that Trump nodded off for significant portions of witness testimony, and as we all know, basically kept his eyes closed for hours and hours on end. On May 9, Trump's eyes remained closed for many minutes, and Trump later, of course, dozed on and off, and the reports go on and on. May 13, Trump was "asleep during the afternoon session." On May 14, a political reporter said Trump slouched in his seat and closed his eyes and his mouth.

[Photo.]

Now, here we have a photo of Donald Trump, of course, through some of his trial, and I bring this up because it is Donald Trump that is asleep, and it is hurting and dividing our country. And this attack on President Biden and his mental acuteness, or his ability or his age is completely just a reason and an excuse for the Republicans to continue to attack President Biden when we all know that Donald Trump is the one that is unfit to be President. And that is why the Majority is so desperate to be here today because they want to help him get elected and hurt President Biden. Well, it is not going to work, and with that I yield back.

Chairman COMER. The gentleman yields back. I now recognize myself, first, to offer an amendment. The clerk will distribute the amendment to all Members.

Ms. BOEBERT. Are we done?

Chairman COMER. No, no, we are not done. We are not done. I am just going to do an amendment, and then we will have all the debate we want, and I know Mr. Goldman has an amendment he wants to offer. Mrs. Luna has an amendment, and—we can go back. Everybody will have an opportunity to talk. We are just going to go ahead and do the amendment in the nature of a substitute. Does everyone have a copy? OK, Ms. Boebert? Ms. Boebert, I have to allow people to speak on the ANS, if they want, right now, so I will recognize you for 5 minutes.

Ms. BOEBERT. Thank you, Mr. Chairman. First, I just want to apologize to the American people. I do not think that this is the best use of our time when we are squabbling. It is one thing to have fun and laugh as Members of Congress and try to find humor or some sort of lightheartedness in what we are doing, but when things get as heated as they have, it is, unfortunately, an embarrassment on our body as a whole. And so, I just want to personally apologize to the American people for that.

But we are here to hold Attorney General Merrick Garland in contempt of Congress for ignoring subpoenas and believing that he is above the law. We simply want to hear what was said in the interview that was transcribed. Yes, we have the transcriptions, but the White House has recently edited President Biden's mistakes by labeling them "inaudible" in transcripts. The Committee Members must be able to assess for themselves that the transcripts accurately reflects the true content of the interviews.

Now, the American people, fortunate or unfortunate, have heard Joe Biden speak for over 3 years now, really, if you include the campaign about 4 years, and we have witnessed in real time a massive cognitive decline. President Trump, when he was in office, he underwent testing for his cognitive dissidence, for his ability to function as President of the United States as the Commander-in-Chief. And unfortunately, I have not seen Joe Biden even read a teleprompter properly and get through the reading without also adding in what is in the brackets when he needs to take a pause. And there are many things that we could go on here, but I want to hear the inflections in Joe Biden's responses when he is answering these questions.

Now, on February 27, 2024, the Oversight Committee issued a subpoena for relevant information regarding the special counsel's investigation, including the transcript and any recordings of the special counsel's interviews with President Biden in October 2023. Now, to date, the Department of Justice has refused to provide the Committee the audio recordings. It is a very simple request. It can be provided at any time, but maybe, just maybe, this Administration, that has tried to cover up so much and tried to physically lift up Joe Biden and keep him upright, is hiding even more. So, we just want to hear how that interview actually went.

I am in favor of moving forward to hold Attorney General Merrick in contempt of Congress. I think there are many other things that we need to have him in for and move forward on in holding him accountable. I mean, he has gone after so many American citizens—moms and dads who attend school board meetings, those of the Catholic faith. The DOJ has been completely weaponized, and it is very sad for our country.

But this hearing will continue. We have many amendments. I am sure there will be much dialog. Hopefully, there is some decorum on both sides of the aisle. And if, in my remaining 1 minute, I could request, every so often, Mr. Garcia, maybe you could just lift up that picture of President Trump sleeping, as you say. I think he is praying, but if he is sleeping, he certainly looks pretty while he sleeps. Maybe it is an endearing moment of prayer, though. I know when I fall asleep on airplanes, my mouth kind of drops open

and his mouth is kind of tightlipped. So, maybe, it is just a somber moment of thought.

Mr. GARCIA. I mean he is sleeping. It has been reported by multiple press outlets that he was actually sleeping.

Ms. BOEBERT. I was in the courtroom today, and I could see why someone would fall asleep just like George Conway fell asleep today in the court hearing. It is kind of slow in there. It is not as exciting as the House Oversight Committee, but I just wanted to say that is a lovely picture you have of President Trump, Mr. Garcia.

Mr. GARCIA. Thank you.

Ms. BOEBERT. Thank you, and I yield.

Chairman COMER. The gentlelady yields back. Does any other Member wish to speak on the underlying? Mr. Goldman?

Mr. GOLDMAN. Thank you, Mr. Chairman. In preparing for this markup, I wanted to do a little bit of work to understand why the Oversight Committee is trying to hold the Attorney General of the Department of Justice in contempt. The Oversight Committee does not have jurisdiction over the Department of Justice, the Judiciary Committee does, and I understand the Judiciary Committee held a markup of their own today on the same exact contempt motion. And so, I thought, oh, well, let us take a look at the impeachment investigation. It must be coming from that.

So, I looked at the impeachment resolution that was passed on December 13, 2023, H.Res. 918, and it refers to a memorandum dated September 27, 2023 from the three Chairs that was entitled, "Impeachment Inquiry." It is 30 pages long, this memorandum, and there is no single mention of classified documents, or Special Counsel Robert Hur, or Joe Biden possessing classified documents. And so, Mr. Chairman, I would ask what on earth we are doing here in the Oversight Committee when we have no jurisdiction to be holding the Attorney General in contempt, and I will happily yield to you if you would like to respond.

[No response.]

Mr. GOLDMAN. He does not want to respond.

Mr. GOSAR. I will respond.

Mr. GOLDMAN. Go ahead, Mr. Gosar.

Mr. GOSAR. Yes, we actually set the precedent in my first term, or second term in regard to holding Mr. Holder accountable in contempt in this very office or this very Committee, and—

Mr. GOLDMAN. But, if I may, just reclaiming my time, that was related to an investigation that this Committee was doing.

What Special Counsel Hur was investigating has nothing to do with anything that this Committee is investigating. I understand that the impeachment investigation that you all ran was such a massive flop and a bust, that you would like to try to distract from that complete humiliation, but doing so outside of your jurisdiction is probably not the best way to do it. And in reality, not only was this absurdly postponed so some people could go prostrate themselves in front of their dear leader today in New York and we are now at 10 night, but we have absolutely no reason to be here. We have no jurisdiction over this matter.

It was properly in front of the Judiciary Committee. The Judiciary Committee will do what they want to do over there in the De-

partment of Justice, but it is truly a reflection, an unfortunate reflection, of how desperate the Chairman is to distract from what was a monumental bust of an impeachment investigation. And so—

Mr. BIGGS. Will the gentleman for a question?

Mr. GOLDMAN. Not quite yet, Mr. Biggs. I will get to you.

Mr. BIGGS. Thanks.

Mr. GOLDMAN. And so, I would urge the Chairman to explain to all of us what, other than pure distraction from the impeachment investigation that seems to be over now, as to why we are here at 10 at night marking up something over which we have no jurisdiction. Mr. Biggs, happy to yield to you.

Mr. BIGGS. Thank you. Thanks so much. I guess my question is, on your jurisdiction position, your position that we lack jurisdiction, I am wondering what you think of Rule X of the Committee's jurisdiction and also—

Mr. GOLDMAN. Well—

Mr. BIGGS [continuing]. And also—

Mr. GOLDMAN. I do not have Rule X memorized, Mr. Biggs.

Mr. BIGGS. Well, take a look at it. Let me see if I can just give you a slight—

Mr. GOLDMAN. Go ahead and read it just like you can read the transcript.

Mr. BIGGS. Yes. Well, I would prefer actually seeing the audio of the transcript, hearing the audio of the transcript. "Anything at any time," that is the language that is used in Rule X. Take a look. It might be helpful when you are making a lack of jurisdiction argument. The other thing is—

Mr. GOLDMAN. Sorry. What is "anything at any time," Mr. Biggs?

Mr. BIGGS. Take a look in Rule X. I think you will change your position. Let me ask you this other question.

Mr. RASKIN. Would the gentleman yield?

Mr. GOLDMAN. Well, I will reclaim my time and yield to Mr. Raskin.

Mr. RASKIN. I wanted to thank the gentleman from New York for his trenchant remarks here. Would you think it is fair to say that it is not only way outside of our jurisdiction, but it is also redundant given that the Judiciary Committee, which has jurisdiction has already acted?

Mr. GOLDMAN. Well, of course. This is already going to go to the House Floor regardless of whatever we do, so it is a shame that this Committee feels so desperate to latch on to some victory that we need to hold a completely redundant, unnecessary markup over something that we have no jurisdiction. Mr. Chairman, I yield back.

Chairman COMER. And the gentleman's time has expired. Does anyone else seek recognition? We have some amendments to be offered. Can we start with the amendment process? Is everybody OK with that?

I will begin. I recognize myself to first offer an amendment.

The clerk will distribute the amendment to all Members. Everyone have my amendment?

The clerk will please designate the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to the Contempt Report as offered by Mr. Comer of Kentucky.

Chairman COMER. Without objection, the amendment is considered as read.

Mr. RASKIN. I reserve a point of order.

Chairman COMER. I reserve the point of order.

I recognize myself for 5 minutes to explain the amendment.

Mr. RASKIN. Great, and I reserve a point of order against the amendment. Thank you.

Chairman COMER. As I said in my opening remarks today, the Department of Justice informed the Committee that President Biden is asserting executive privilege over the audio recordings of his interviews with Special Counsel Hur. Until today, the White House had not asserted any privilege and, in fact, bragged that President Biden had not asserted executive privilege in the interest of transparency. My amendment simply amends the Contempt Report to reflect that the White House has now asserted a privilege regarding these recordings. Though I believe this is a miscalculated and invalid assertion of executive privilege, my amendment would make the Contempt Report reflect today's developments from the Department of Justice and the White House and reflect the record as of today.

Do any other Members wish to speak on this amendment?

[No response.]

Chairman COMER. If not—

Mr. GOLDMAN. Yes, Mr. Chairman.

Chairman COMER. The Chair recognizes Mr. Goldman.

Mr. GOLDMAN. This is the part of the problem why you cannot give the Republicans nice things.

Because it is never enough. And it is true that President Biden has not asserted executive privilege over the entire subpoena, effectively, that they responded to but for the audio which is redundant because you have the information. There is no point in having the audio other than for political partisan purposes. And I understand how my colleagues get irritated because every time you bring up something about President Biden, we bring up something about President Trump, but the reason we do is because in every single circumstance, what President Trump did was so egregious compared to what President Biden may or may not have done.

Donald Trump asserted executive privilege over everything, over just about everything while he was President. It was a reflex of his. And here you are complaining that Joe Biden finally asserted executive privilege over material that you cannot possibly enumerate a legitimate legislative purpose about. There is not one. Nobody can tell me. I know you say that what the intonation is, is why you need this, but I can assure you every court of law would tell you that the intonation of the voice as opposed to the words on the page is not a legitimate legislative purpose, so—

Mr. BIGGS. Mr. Chairman, would you yield to me, Mr. Chairman?

Mr. GOLDMAN. I think it is—

Mr. RASKIN. It is Mr. Goldman's time.

Mr. BIGGS. Oh, I am sorry. I thought you had yielded Mr. Goldman.

Mr. GOLDMAN. No, that is OK. So, I do think that the executive privilege's assertion is yet another reason why the contempt motion fails, as it has previously, and contempt proceedings have been called off when the last Administration has asserted executive privilege. If you would like to challenge the executive privilege, you may do so. You may go to court. But to hold the Attorney General in contempt over something that the President has asserted executive privilege is completely illegal and improper.

So, in addition to the jurisdictional problem, you also have an executive privilege problem because you cannot hold someone in contempt for something they have no control over, whether it is asserted executive privilege. You are welcome to go to court. You can go to court and challenge the assertion of executive privilege. That has happened before. Don McGahn has a very well-known case now that was litigated because the President asserted executive privilege over him. But this is a legitimate use of executive privilege, and if you disagree, go to court. But this contempt hearing and this contempt motion is completely nullified by the assertion of executive privilege.

Mr. RASKIN. Would the gentleman yield?

Mr. GOLDMAN. Yes, I yield to Mr. Raskin

Mr. RASKIN. And thank you again for your clarifying analysis of the contempt citations. Some of our colleagues invoked the cases of Dan Scavino and Peter Navarro and Steve Bannon. We are talking about people in those cases who never produced a single document and never spent a minute before the Committee. They completely blew off their subpoenas, which is why they were held in contempt by the Congress, and then they were subjected to criminal prosecution for it.

Now, you compare that to the case of the Attorney General in the United States, who produced precisely the document that was being sought, all 250 pages of it. Then there is a bait and switch, and then it said, oh well, no, now we want the audiotape. He has a very reasonable invocation, I assume, of executive privilege, although I have not looked at it, but in any event not anything that you would base a criminal arrest upon given that he overwhelmingly complied with the demands of the Committee, and I think everybody has got to concede that.

And if you want to make the argument splitting hairs that, well, through some intonation or accent in the audiotape that a high crime and misdemeanor might emerge, then please make that argument. If somebody could even offer us a hypothetical of how we could ground this in the jurisdictional authority and the legitimate exercise of power of this Committee, explain how the audiotape could reveal some intonation or accent that would produce the holy grail that you have been looking for, for 18 or 19 months, which is a high crime or misdemeanor, and so far nobody has uttered a peep about it. Thank you for yielding, Mr. Goldman.

Mr. GOLDMAN. I yield back.

Chairman COMER. The gentleman's time has expired. The question is on the amendment—Ms. Crockett?

Ms. CROCKETT. Thank you, Mr. Chairman. You know, the point of deciding that we need to release this audio is really simple from my analysis. This is an opportunity for your party to take an op-

portunity to try to mock the current President. I know a lot of people refer to the former President as “President,” but we have one President at a time, and that is Joe Biden. And seemingly, this type of attitude and position has come straight from the top. This idea of lacking all decorum, decency has left the building when the stench of Donald Trump showed up. And so, we have seen constantly from him how he mocks people. We have seen in this Committee how different Members want to mock other Members, and that is all this is about.

But what is so frustrating to me and what should be frustrating to the American people, and the reason that really all you all should lose you all’s jobs, but why we are going to take the majority is simple, is because we showed up ready to work earlier today like we always do. And now, it is currently 10 p.m., and we are still here because we are committed to doing the right thing. And my question is really simple. It is a matter of if this was such a big deal, if it was a matter of an emergency, if this was so important as it relates to whether or not the President of the United States has done something so wrong, then why is it that we could not have our hearing at 11 this morning instead of Members being in a criminal courthouse with a twice-impeached, over 88-count-indicted sexual abuser instead of being here to do the work of the American people if this was serious? This is the reason that people do not believe that we are doing serious work here——

Mr. BIGGS. Mr. Chairman, point of order.

Chairman COMER. Go ahead. State your point.

Mr. BIGGS. My point of order is this. She just engaged in personalities about a former President, which you just reviewed——

Ms. CROCKETT. You cannot engage in personalities with a former President? That is not the——

Mr. BIGGS. You just reviewed the rules, and you know that it is true. If you were on the Floor, you would be admonished. You know that.

Ms. CROCKETT. Not the rules. That is not the rules.

Mr. BIGGS. Mr. Chairman, I will further say, if this happened on the Floor——

Chairman COMER. Right.

Mr. BIGGS [continuing]. You would be admonished by the parliamentarian.

Chairman COMER. Your point is correct.

Mr. RASKIN. No, no. In this circumstance, you made an announcement, I believe, that points of order about insulting Presidents or former Presidents are not in order in this hearing because, I take it, you are going after Joe Biden and so——

I think you carved out an exception to that rule.

Chairman COMER. OK, point of order overruled. Ms. Crockett, finish please.

Ms. CROCKETT. I will yield the remainder of my time.

Chairman COMER. Thank you.

Mr. CONNOLLY. Would my friend yield to me?

Ms. CROCKETT. Yes, I will yield the remainder of my time.

Mr. CONNOLLY. I thank the gentlelady. Originally, we have a motion, an ANS, to hold the Attorney General in contempt because he did not produce one item, an audiotape of the transcripts that were



provided in full. And we decided apparently that that was what we were going to do because we are not sure about our chances in a court of law, which is really where this needs to be adjudicated. Now we have an amendment to the ANS taking cognizance of the development today in which the White House, not an unusual development and not always justified, invokes executive privilege.

Now that is as old as the republic. In fact, the first President to invoke executive privilege was George Washington who did not want to provide documents regarding the Jay Treaty because it was controversial, and it might embarrass the White House. And we have had ups and downs with respect to executive privilege ever since, but the proper venue for adjudicating this is in a court of law. It is not this Committee.

And so now, this amendment to the amendment is essentially holding an attorney general in contempt because they are invoking executive privilege to protect information they choose not to provide the Congress, and I find that a very narrow basis. And I can understand why you do not want to have this adjudicated in a court of law because I do not know that any judge would find that we have substantial reason to hold somebody in contempt for non-compliance. I thank the gentle lady for yielding.

Chairman COMER. Do you yield back?

Ms. CROCKETT. I yield the remainder to the Ranking Member.

Mr. RASKIN. And I yield back to you, Ms. Crockett.

Ms. CROCKETT. OK. Then I yield.

Chairman COMER. Thank you. The question is now on the amendment offered by the Chairman.

All those in favor signify by saying aye.

[Chorus of ayes.]

All those opposed signify by saying no.

[Chorus of noes.]

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. RASKIN. Recorded vote, please, Mr. Chairman.

Chairman COMER. A recorded vote has been requested by Ranking Member Raskin. OK.

The clerk will call the roll.

A recorded vote is ordered.

As previously announced, further proceedings on the question will be postponed.

Mr. LATURNER. Mr. Chairman, parliamentary inquiry?

Chairman COMER. Yes, Mr. LaTurner.

Mr. LATURNER. I think an actual one which is rare. Would it be a proper motion for me to make—this is an important amendment offered by the Chairman of the Committee—would it be a proper motion for me to make that we hold the vote on this specific amendment immediately and not roll it to the end? Would that be a proper motion for me to make?

Chairman COMER. Yes. That motion is in order. Do you want to—

Mr. LATURNER. I would make that motion.

Mr. FALLON. Second.

Chairman COMER. OK. Motion and second. OK.

Mr. RASKIN. What is the motion?

Chairman COMER. OK. All right.  
The clerk will call the vote on the amendment.  
It was a request.  
All right.  
The CLERK. Mr. Jordan?  
Mr. JORDAN. Yes.  
The CLERK. Mr. Jordan votes yes.  
Mr. Turner?  
[No response.]  
The CLERK. Mr. Gosar?  
Mr. GOSAR. Yes.  
The CLERK. Mr. Gosar votes yes.  
Ms. Foxx?  
[No response.]  
The CLERK. Mr. Grothman?  
[No response.]  
The CLERK. Mr. Cloud?  
Mr. CLOUD. Yes.  
The CLERK. Mr. Cloud votes yes.  
Mr. Palmer?  
Mr. PALMER. Aye.  
The CLERK. Mr. Palmer votes aye.  
Mr. Higgins?  
Mr. HIGGINS. Yes.  
The CLERK. Mr. Higgins votes yes.  
Mr. Sessions?  
Mr. SESSIONS. Aye.  
The CLERK. Mr. Sessions votes aye.  
Mr. Biggs?  
Mr. BIGGS. Aye.  
The CLERK. Mr. Biggs votes aye.  
Ms. Mace?  
Ms. MACE. Aye.  
The CLERK. Ms. Mace votes aye.  
Mr. LaTurner?  
Mr. LATURNER. Aye.  
The CLERK. Mr. LaTurner votes aye.  
Mr. Fallon?  
Mr. FALLON. Aye.  
The CLERK. Mr. Fallon votes aye.  
Mr. Donalds?  
Mr. DONALDS. Yes.  
The CLERK. Mr. Donalds votes yes.  
Mr. Perry?  
Mr. PERRY. Aye.  
The CLERK. Mr. Perry votes aye.  
Mr. Timmons?  
Mr. TIMMONS. Aye.  
The CLERK. Mr. Timmons votes aye.  
Mr. Burchett?  
Mr. BURCHETT. Aye.  
The CLERK. Mr. Burchett votes aye.  
Ms. Greene?  
Ms. GREENE. Aye.

The CLERK. Ms. Greene votes aye.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. Aye.  
The CLERK. Ms. Boebert votes aye.  
Mr. Fry?  
Mr. FRY. Aye.  
The CLERK. Mr. Fry votes aye.  
Mrs. Luna?  
Mrs. LUNA. Aye.  
The CLERK. Mrs. Luna votes aye.  
Mr. Langworthy?  
Mr. LANGWORTHY. Aye.  
The CLERK. Mr. Langworthy votes aye.  
Mr. Burlison?  
Mr. BURLISON. Aye.  
The CLERK. Mr. Burlison votes aye.  
Mr. Waltz?  
[No response.]  
The CLERK. Mr. Raskin?  
Mr. RASKIN. No.  
The CLERK. Mr. Raskin votes no.  
Ms. Norton?  
Ms. NORTON. No.  
The CLERK. Ms. Norton votes no.  
Mr. Lynch?  
Mr. LYNCH. No.  
The CLERK. Mr. Lynch votes no.  
Mr. Connolly?  
Mr. CONNOLLY. Nay.  
The CLERK. Mr. Connolly votes nay.  
Mr. Krishnamoorthi?  
[No response.]  
The CLERK. Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. No.  
The CLERK. Mr. Mfume votes no.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. No.  
The CLERK. Ms. Ocasio-Cortez votes no.  
Ms. Porter?  
Ms. PORTER. No.  
The CLERK. Ms. Porter votes no.  
Ms. Bush?  
[No response.]  
The CLERK. Ms. Brown?  
Ms. BROWN. No.  
The CLERK. Ms. Brown votes no.  
Ms. Stansbury?  
Ms. STANSBURY. No.  
The CLERK. Ms. Stansbury votes no.  
Mr. Garcia?

Mr. GARCIA. No.  
The CLERK. Mr. Garcia votes no.  
Mr. Frost?  
Mr. FROST. No.  
The CLERK. Mr. Frost votes no.  
Ms. Lee?  
Ms. LEE. No.  
The CLERK. Ms. Lee votes no.  
Mr. Casar?  
Mr. CASAR. No.  
The CLERK. Mr. Casar votes no.  
Ms. Crockett?  
Ms. CROCKETT. No.  
The CLERK. Ms. Crockett votes no.  
Mr. Goldman?  
Mr. GOLDMAN. No.  
The CLERK. Mr. Goldman votes no.  
Mr. Moskowitz?  
Mr. MOSKOWITZ. No.  
The CLERK. Mr. Moskowitz votes no.  
Ms. Tlaib?  
Ms. TLAIB. No.  
The CLERK. Ms. Tlaib votes no.  
Ms. Pressley?  
Ms. PRESSLEY. No.  
The CLERK. Ms. Pressley votes no.  
Mr. Chairman?  
Chairman COMER. Yes. How has Dr. Foxx been recorded?  
The CLERK. Dr. Foxx is not yet recorded.  
Ms. FOXX. Foxx votes aye.  
Chairman COMER. What about——  
The CLERK. Ms. Foxx votes aye.  
Chairman COMER [continuing]. Mr. Grothman? Has he been re-  
corded?  
The CLERK. Mr. Grothman is not recorded.  
Mr. GROTHMAN. Aye.  
Chairman COMER. And——  
The CLERK. Mr. Grothman votes aye.  
Chairman COMER. How has Mr. Waltz been recorded?  
The CLERK. Mr. Waltz is not recorded.  
Mr. WALTZ. Aye.  
The CLERK. Mr. Waltz votes aye.  
Chairman COMER. How has Mr. Krishnamoorthi been recorded?  
The CLERK. Mr. Krishnamoorthi is not recorded.  
Mr. KRISHNAMOORTHI. I vote no.  
The CLERK. Mr. Krishnamoorthi votes no.  
Chairman COMER. Does any other Member wish to vote?  
[No response.]  
Chairman COMER. Seeing none, will the clerk please report the  
tally?  
The CLERK. Mr. Chairman, your vote.  
Chairman COMER. I voted yes.  
The CLERK. Mr. Chairman votes yes.  
Mr. Chairman, on this vote the ayes are 24. The nays are 19.

Chairman COMER. The ayes have it, and the amendment is adopted.

Mrs. LUNA. Mr. Chairman?

Chairman COMER. Yes?

Mrs. LUNA. I have an amendment at the desk.

Chairman COMER. The Chair recognizes Mrs. Luna.

Mrs. LUNA. Has it been distributed?

Chairman COMER. Will the clerk please report the amendment?

Mr. RASKIN. I reserve point order, Mr. Chairman.

The CLERK. An amend—

Chairman COMER. Before that, Clerk—you have a point of order, Mr.—

Mr. RASKIN. I am just reserving it.

Chairman COMER. OK. Reserving it. Clerk, please report the amendment.

The CLERK. Amendment to the amendment in the nature of a substitute to the Contempt Report as offered by Mrs. Luna of Florida.

Chairman COMER. Without objection, amendment is considered as read.

I reserve a point of order.

The gentlelady from Florida, Mrs. Luna, is recognized for 5 minutes to explain the amendment.

Mrs. LUNA. I wanted to offer this amendment because I, like so many Americans, have, frankly, lost faith in the justice system. And there was some comments made earlier by my colleague, Mr. Goldman, who I actually very much so enjoy debating with on this Committee, but he said that Oversight did not have authority in regards to contempt proceedings. And during my time off for maternity, after I was told that I could not vote, I actually spent that time reading the House Rule Book and Manual. And there is something that has not been used since the early 1900's called inherent contempt of Congress. It is actually something that any one individual Member reserves as their right and authority in the House of Representatives.

And the reason why we are here today is because the Attorney General thought he was above the law and did not comply not just with one subpoena, but with two subpoenas. Those are subpoenas from both Chairman Jordan and Chairman Comer. I want to read this to you because, ultimately, if in 10 days, the Department of Justice does not do their job and hold the Attorney General responsible just like they would any other American, I think that it should be our job in the House of Representatives to bring an inherent contempt proceeding against the Attorney General, of which I have already filed that privilege motion over a week ago.

And so, although I realize that my Democrat colleagues might have an issue with this and I am willing to retract the amendment, I would like to read it real quickly in saying that, "Resolved, that if in 10 days after the passage of this report, the Department of Justice had failed to indict Attorney General Garland, the Speaker of the House of Representatives shall issue his warrant commanding the Sergeant-at-Arms of his duty to take into custody the body of the said Attorney General Garland, wherever found, and bring him to the said Attorney General Garland before the Bar of

the House of Representatives, then and there to provide documents, materials, and answer such questions pertinent to the matter under inquiry as the House of Representatives may order the Speaker of the House of Representatives to propound, and to keep the said Attorney General Garland in custody to await further orders of the House of Representatives.”

This is something that we reserve as an authority in order to bring back order to a House that has seemed to have forgotten it. And so, with that, Chairman, I just wanted to let you all know as my colleagues, because I am sure we will debate this on the Floor, I fully intend in 10 days after this passes out of Committee to hold Attorney General Garland in inherent contempt of Congress if the Department of Justice does not do their job. And with that, Chairman, I am going to withdraw my amendment, and thank you.

Mr. MOSKOWITZ. Mr. Chairman, I have a question on the—

Chairman COMER. I thank the lady for withdrawing, for raising this issue, and please note that she withdrew her amendment. OK. We are going to suspend for one moment.

[Pause.]

Chairman COMER. OK. The Committee will reconvene.

I understand, Mr. Goldman, you have an amendment?

Mr. GOLDMAN. I do, Mr. Chair.

Chairman COMER. Will the clerk please report?

The CLERK. Amendment to the Contempt Report as offered by Mr. Goldman of New York.

Chairman COMER. Without objection, the amendment is considered as read.

I reserve a point of order.

The gentleman from New York is recognized for 5 minutes to explain his amendment.

Mr. GOLDMAN. Thank you, Mr. Chairman. This amendment details and enumerates exactly what the subpoena requested and exactly what the Department of Justice has done in response to that subpoena, and I will summarize that the subpoena of February 12 requested all documents and communications, including audio and video recordings related to the special counsel’s interview of President Biden, as well as the special counsel’s interview of Mark Zwonitzer, who is the ghostwriter of President Biden’s book or books; three, the documents identified as A–9 and A–10 in Appendix A of Mr. Hur’s report; and four, all communications between or among representatives of the Department of Justice, including the Office of Special Counsel, the Executive Office of the President, and President Biden’s personal counsel, referring or relating to Mr. Hur’s report.

Obviously, it goes almost without saying that that last request is completely improper, would be deliberative process and executive privilege, although I do not think they determined executive privilege, but there is no basis for Congress to get internal communications within the Department of Justice about decisions they have made. And if you have any question about that, you should go refer back to your favorite former President and his Administration, where they used that repeatedly.

In response to the subpoena, the special counsel or, rather, the Department of Justice provided the unredacted report, as you know, the transcripts of the interviews of President Biden and Mr. Zwonitzer, provided the documents identified as A-9 and A-10. So, really, the only thing that could even be considered as a legitimate request that the Department of Justice withheld is the audio recording of the two interviews, about which there already is a transcript.

And so, the question that this amendment begs is if the Majority thinks that giving substantially the entire subpoena response—responding with substantially everything that the subpoena asks for warrants contempt of Congress, what does the Majority think about somebody who, I do not know, refuses to respond to a subpoena altogether? Maybe Chairman Jordan has a response to that, Mr. Biggs, Mr. Perry? Because I am pretty sure that they each received duly authorized subpoenas, and I appreciate that the gentlelady from Georgia—

Mr. BIGGS. Will the gentleman yield?

Mr. GOLDMAN. In one sec I will. I appreciate that the gentlelady—

Mr. BIGGS. Well, you asked me to respond.

Mr. GOLDMAN. I will, 1 second. The gentlelady from Georgia, with her esteemed legal knowledge, determined that the January 6 Committee was not a legitimate committee when, unfortunately, a number of actual courts of law determined that it was. So, those subpoenas to Members of Congress were duly authorized subpoenas.

And if Merrick Garland is going to be held in contempt and is going to be threatened with inherent contempt and sent to a non-existent jail in the basement of the Congress, then what is going to happen to those witnesses who just outright defy congressional subpoenas, because I do think the Majority ought to be careful about the precedent that it sets. Because Mrs. Luna, I am happy—happy—to reinstitute right now with you inherent contempt. And I can assure you that when you consult with the rest of your party, nobody will want it because—

Mrs. LUNA. Will the gentleman yield?

Mr. GOLDMAN [continuing]. It will be much, much worse for you than for the Democrats.

Mrs. LUNA. Will the gentleman yield?

Mr. GOLDMAN. I am happy to yield, yes.

Mrs. LUNA. I just like to point out that inherent contempt or contempt, to my understanding, cannot be brought forward in a new Congress even if it has been a past violation. I know because I actually inquired on Cohen today, so just so you are aware.

Mr. GOLDMAN. No, no. I am not suggesting that we bring inherent contempt—

Mrs. LUNA. Well, just to clarify.

Mr. GOLDMAN [continuing]. For any past subpoenas. I am talking about the precedent that you are—

Mr. BIGGS. Are you right now willing to yield, Mr. Goldman?

Mr. GOLDMAN. Mr. Biggs, yes.

Mr. RASKIN. Mr. Chair?

Mr. BIGGS. Thank you. Thank you for yielding to me. First of all, you made a personal reference, again, about Mr. Jordan, about myself, and about Mr. Perry, which we had agreed that we would not do, but I am going to respond to you. We asserted that we had not received service.

Mr. GOLDMAN. OK.

Mr. BIGGS. And that is how we responded. End of story.

Mr. GOLDMAN. So, your response is that you did not receive service of the subpoena. I just want to be clear. That is why you did not comply?

Chairman COMER. The gentleman's time has expired. The gentleman's time has expired.

Mr. GOLDMAN. I thought so. I yield.

Chairman COMER. Do any other Members wish to speak on the Goldman Amendment? The Chair recognizes Mr. Fry from South Carolina for 5 minutes.

Mr. FRY. Thank you, Mr. Chairman. I oppose this amendment by Mr. Goldman. Mr. Goldman's amendment is just an attempt to distract from the very obvious and clear fact that the Attorney General has failed to comply with a duly issued subpoena. The U.S. Court of Appeals for the District Court has stated that the level of grave accusations that a President may have committed treason, bribery, or other high crimes of misdemeanors, the House must be appropriately informed. Mr. Goldman's amendment completely ignores the fact that audio recordings, as he knows as a lawyer, are material to understanding the full context of President Biden's mishandling of classified documents, his credibility as a witness, and his fitness to serve as President of the United States. Quite simply, the Attorney General has not complied with two subpoenas. Mr. Goldman's amendment completely distracts from that obvious fact.

And I will remind my colleagues that a subpoena is not a menu. It is not an a la carte menu that you can choose what you comply with or not. You either produce the requested materials or you do not. And when Mr. Goldman was with the Department of Justice, he probably did not allow criminal defendants to pick and choose what subpoenas they were going to comply with. And so, just simply put, this amendment is just about helping President Biden hide in a basement but by other means.

Mr. GOLDMAN. Will the gentleman yield?

Mr. FRY. No, sir.

Chairman COMER. The gentleman's time is expired. Or he yielded back. Mr. Connolly?

Mr. CONNOLLY. Thank you, Mr. Chairman. The gentleman from South Carolina just implied, more than implied, that there is evidence the President of the United States committed high crimes and misdemeanors. The Hur report finds otherwise. He, in fact, found no grounds for proceeding. That might be an unpleasant fact, but it is a fact. In addition, there is no committee in this Congress that has found the President of the United States guilty of high crimes or misdemeanors, nor is the President currently the subject of the charge that he is guilty—

Mr. FRY. Will the gentleman yield?

Mr. CONNOLLY [continuing]. That he is guilty of high crimes and misdemeanors.



Mr. FRY. Will the gentleman yield?

Mr. CONNOLLY. So, if we are going to take care in invoking Presidents' names and characterizing them, their circumstances, or their legal standing, let us at least stick to the facts. I yield back.

Mr. RASKIN. Mr.—

Mr. FRY. Will the gentleman yield?

Mr. CONNOLLY. I am sorry. I yield first to the Ranking Member.

Mr. RASKIN. Thank you, Mr. Connolly, and I want to further clarify this issue for our colleague because I did have some familiarity with these contempt motions. Now, when the January 6 Committee, whose legality and constitutionality was repeatedly upheld by the D.C. Circuit and no court ever rejected it, issued subpoenas and requests to testify, hundreds of people cooperated. More than 900 people did what the vast majority of Americans do. You get a subpoena, you go, and you testify. If you get a subpoena for documents, you turn over the documents.

There was a tiny handful of people who blew off the subpoenas. Some of them claimed to be invoking executive privilege even when Donald Trump did not invoke executive privilege. Some of them were not even working for the government when they purported to invoke executive privilege, and they were referred for contempt motions and voted that way, and then prosecutions were brought only against those people who categorically did not participate.

I will give you an example of someone who kind of did the hokey pokey—he was sort of in and sort of out—and that was Paul Manafort, and he participated some and then some not. There were some other witnesses—Mark Meadows, that is who I am thinking of. Mark Meadows is the one who turned over a whole bunch of stuff, and then we understand Donald Trump was not pleased and he stopped cooperating, but he was never held for contempt because he had at least partially complied, OK?

So, now you are talking about the Attorney General of the United States who has invoked executive privilege for one very small part of the overall subpoena but has materially, substantially, and overwhelmingly complied in this case, by turning over the entire document that was subpoenaed, which was the President's testimony. And now people are talking about invoking the inherent power of contempt of Congress, which has not been used in more than a century, to go and arrest him because you did not get the audiotape?

Mrs. LUNA. Will the gentleman yield, please?

Mr. RASKIN. For a quick question, sure.

Mr. CONNOLLY. Actually, it is my time.

Mr. RASKIN. Oh, I am sorry.

Mr. CONNOLLY. And I yield to the Ranking Member.

Mr. RASKIN. Thank you. Just to complete my—

Mrs. LUNA. Will the gentlemen yield for a question?

Mr. RASKIN. I will just complete my point, and I will yield back to the very distinguished gentleman from Virginia. So, I think that our colleagues should really think about what they are talking about here. You understand that when he was President, Donald Trump invoked executive privilege and cutoff all cooperation with legislative committees in more than a hundred cases. You are saying he could have been arrested a hundred times and thrown into

jail, and do not bury your faces in your phones. I mean, I just want you to follow the principle of your argument that Congress can throw anyone in jail if there is—

Mrs. LUNA. Will the gentleman yield?

Mr. RASKIN. I will yield back to my distinguished—

Mr. CONNOLLY. I would yield to the gentlelady, yes.

Mrs. LUNA. I think the whole point of this, and this is not tit for tat, this is a very serious thing in that Congress used to be respected. We are no longer respected because people do not respect our authority. And so, the inherent contempt clause—I am not hoping that he is thrown in jail. What I am saying is that he has violated a law, something that we have as a privilege, and as a result of that, any other American would be in trouble or in jail because of it. And, so—

Mr. CONNOLLY. Reclaiming my time. I want the gentlelady to know that on the principle of inherent contempt, I actually agree. I believe that the courts are too slow in enforcing congressional subpoenas, and, therefore, the work of the legislative body is impeded. But, that begs the question of whether there are serious grounds on which to bring a contempt citation, and if we are going to use—

Mrs. LUNA. Would the gentleman yield?

Mr. CONNOLLY. If we are going to use that power, we had better use it very carefully and thoughtfully, and I do not believe this proceeding against Merrick Garland meets that criteria, but thank you for the point.

Chairman COMER. The gentleman's time has expired. The Chair now recognizes Mr. Jordan for 5 minutes.

Mrs. LUNA. Mr. Chairman?

Mr. JORDAN. I thank the Chair. Independent and impartial, that is what they told us. Attorney General of the United States says we will administer justice in an impartial fashion. The White House said we will let the Justice Department operate in an independent fashion. The key question for this Committee, the key question for the Judiciary Committee earlier today was, was the decision not to prosecute President Biden consistent with that commitment that President Biden and Attorney General Garland gave the country. It is key question for the Congress when we are doing our oversight.

Trump was charged. Biden was not. We know that is the case. Was there a commitment to impartiality and independence? Was that what was actually going on, particularly when you look at what Robert Hur found, page 1 of his report: "Our investigation uncovered evidence that President Biden willfully retained, willfully disclosed classified materials after his vice presidency when he was a private citizen." So, he met the elements of the crime. He kept information he was not allowed to keep. He shared information he was not allowed to share. Now, why would he do that? Well, guess what? Robert Hur told us that, too, page 231 of the report. He says it right here: "Mr. Biden had strong motivations to ignore the proper procedures for safeguarding classified material. He had decided months before to write a book," so he had motive. The motive was the book he wrote for which he got paid, by the way, \$8 million in

advance, so he had an \$8 million motive. He met the elements of the crime, but he is not being charged.

Now, one of the things we have to evaluate as Congress, the legislative branch, is are they administering justice in a fair and equal fashion? It is a fair question, and the best way to determine that is to get all the evidence and the best evidence. The best evidence, the purest evidence would be the audiotape. The transcript is great. I would argue he has already waived privilege when he gave us the transcript, but we want the audiotape because that is the best evidence. That is the best evidence we can have as the body who is supposed to do oversight. It is part of our constitutional duty.

In order to do that, we should get the best—that is the simple question. We can get into all the other fights we get into in Congress. God bless us, that is how it goes, but to me, that is the fundamental question. The elements of the crime were met, both of them, and by the way, he knew the rules. He had only been in government 50 years, chaired the Senate Foreign Relations Committee, Vice President of the United States getting a daily briefing, intelligence briefing all the time. He knew the rules, did not follow them, shared them with the ghost writer, did it for \$8 million, but was not charged. Why? Why? Because Mr. Hur said he is a forgetful, elderly gentleman. That is what he told us.

So, we want to evaluate it all, and the best way to do that is to get all the evidence. That is all this is about, plain and simple. I yield back

Chairman COMER. The gentleman yields back. The Chair now recognizes Ms. Stansbury from New Mexico.

Ms. STANSBURY. Thank you, Mr. Chairman. I would like to make some points for the record on this amendment and on this proceeding this evening, and I want to start off by first saying to my colleagues across the aisle, welcome back to Washington, DC. I know it is late, and I know a bunch of you have been traveling. You were on the road today, and I know you must be tired. You all were visiting Donald Trump's trial today to defend his porn star hush money case.

[Photos]

And, in fact, we have some cute pictures of you here today, and they are some cute pictures, so congratulations, and also some from the last few days, and it looks like you guys had a good time in the courtroom today.

But you know what? I do not know, the Speaker looks a little bit stressed here. I mean, it is lot, right, to ask someone who is facing a criminal trial and running for President to ask his political allies to travel over 200 miles on a voting day here in Congress to pop up to New York and snap some cute pictures to defend him because the judge has ordered him to stop threatening the jurors in his own trial. I mean, some might actually view this as direct interference in a criminal court case. It is not exactly law and order, as our friends like to talk about all the time.

But I want to just take a moment to let you all know what you missed today while you were up in New York. You missed some votes. Yes, you were not here. You did not show up for votes. You did not vote on some of the bills that you claimed were your prior-

ities, some of your public safety and border bills. I can see you had some important business to take care of here today. And as the Ranking Member noted, the Chairman did manage to find time today, after they canceled the hearing this morning, to have his political fundraising team send out this fundraising email. And I do genuinely hope you made some good money off of it because we are not actually supposed to use the resources that the taxpayers fund in this Committee to fundraise off of.

But it does really make you wonder why we are sitting here at 10:30 at night after this is the activities that the GOP were engaged in earlier today when we were supposed to be having this hearing, these fundraising emails went out. Why are we here? Why are we using taxpayer official resources in this Committee right now? I mean, could it be political? I mean, it would make sense why you guys rescheduled and skipped votes and went up to New York, and here we are. And if there is any indication that this impeachment scheme is in its flop era, I do not know what is. This Committee has spent 17 months reviewing 3.8 million pages of documents—3.8 million pages of documents—80 hours of recorded testimony and not turned up a single shred of evidence in this impeachment scheme, and yet you still had time to go to Donald Trump's trial where he is about to be convicted.

And so, you know, I think it is very clear what all of this is about. The GOP is using this Committee and its resources to make countless misleading and false statements to try to spin a political narrative to fundraise off of it in a blatantly partisan effort to support Donald Trump's reelection. If you need any evidence, it is right here behind me. So, I thought it was important to really set the record straight on this. This is not a taxpayer-funded campaign effort. And if you needed any evidence that that is what the Majority is involved in here, I think it is very clear that that is what this hearing is all about, or we would not be sitting here at 10:30 at night after your little field trip. And with that, I yield back.

Chairman COMER. The Chair now recognizes Mr. Biggs.

Mr. BIGGS. Thank you, Mr. Chairman, and this hearing started off tonight with a crazy satire, and with the condescending presentation we just received, it just continues and perpetuates. So, I am glad we actually had an agreement that we were going to tone it down. This is why you cannot—it is tough to make deals with my colleagues across the aisle.

They condescend, they call out individuals, and they do not go to the issues. That is why it is tough, folks. That is why it is tough, and you wonder why, but let us take a look at a few things here.

It was not that the Special Counsel Hur did not find that criminal activity had taken place. As Mr. Jordan just pointed out on page 2, we found out that President Biden, after he left the vice presidency, he unlawfully retained and disclosed classified information, but he was not prosecuted. You guys conflate this. He was not charged, and so say, oh, see he did not do anything wrong. No, that is not true. He did something wrong, but Mr. Hur made a prosecutorial decision. He said, well, this is a feeble old man with a poor memory, and you know what, going to be tough to actually convict.

Now, the Attorney General has received a subpoena, and this amendment by the gentleman from New York basically says, “in-

cluding audio and video recordings.” And we are told, gee, if he substantially complied, whoop, that is great. That is all you have to do. But we actually had a great example earlier this evening why you just might want to have the oral transcript. You just might want to have that oral audio recording. What was it? Do you remember? Nobody could successfully identify and isolate and remember what Ms. Greene said exactly. And so, we went there, and the comment was, well, “the best that we could determine.” But you know what might have helped? An audio recording, and that is why an audio recording becomes valuable in this particular case as well. Now—yes, the best evidence, the original evidence. Now, President Biden has now asserted executive privilege, which is no longer available to him because he waived executive privilege when he actually provided the written transcript. He also went way up past the deadline. When the subpoena was due, that is when he should have made that assertion. He chose not to, and that is part of his problem. And then I think of the Mitchell case, and if you remember the U.S. v. Mitchell case, President Nixon was trying to get by with turning over what? Some part of the written transcript. He said this is the written transcript, this is what you should have, and the U.S. Supreme Court said, no, turn over the audio recordings. That is what happened in the U.S. v. Mitchell case.

Next thing here, when we get to the jurisdiction, oh my goodness gracious, we do not have jurisdiction. Actually, we do, Rule X(c)(2). Take a look at that. “In addition to its duties under subparagraph (1), the Committee on Oversight and Accountability may at any time conduct investigations of any matter without regard to Clause 1, 2, 3 of this clause conferring jurisdiction over the matter to another standing committee.” That means we can have jurisdiction over darn near anything, and we have claimed jurisdiction. That means we can go forward with it.

What else you got? Let us see here. Oh goodness gracious. It was late. It is late. Why are we here? It is late. You know why it is late? You know why we are here? Because the time for this hearing was set for 8 p.m., properly noticed. That is all right. And you know what? I have actually been in committees that have started late, after votes, when the Democrats had control, and we went through to midnight, 1, 2 in the morning when Democrats were sitting in the chair, so I do not feel bad about that.

So, what you have here is the Democrats conflating executive privilege as well as the contempt, but the issue that they failed to understand is that the full compliance of the subpoena required disclosure of the audio recordings. It is right here in this proposed amendment. So, what would happen if you had a deposition, and you did both a video recording and a written transcript? Do you think the court is going to say, hey, look, you can have one but not the other? No, that is probably not going to happen. So, the time has expired.

Chairman COMER. The time has expired. I think Ms. Crockett seeks recognition.

Ms. CROCKETT. Thank you, Mr. Chairman. I do want to make sure that we point out some obvious differences in what the Majority is talking about. No. 1, we are talking about an interview that was voluntarily done by the sitting President of the United States

versus someone who has obstructed at every angle, in fact, is continually obstructing, to the extent that we are waiting on the Supreme Court to give us a ruling on whether or not it is OK for him to commit his crimes while sitting in the Oval Office and be excused for them. So, we have got trials all over the place that are on hold because of the continual obstruction.

The difference in the documents case between the former President and the current President could not be any clearer. We absolutely did not have mounds of documents sitting in someone's bathroom versus some that have been stored in a garage, but also it is this level of voluntariness. And so, for those that are not lawyers in the room, typically we look to something that is called mens rea, and mens rea is always talking about a level of intent, and there are various levels of intent. And so, while someone may be negligent, that may not necessarily rise to the level of criminality, but when someone is being intentional by making sure that they get rid of the video footage, they lie to their lawyers, they lie to those officials that are coming and inquiring of them, that is why you then end up facing criminal charges.

But I also just want to make it clear because it seems like when we talk about conflating, that those in this legislative body really want to be more so on the Judiciary side of things. They really sound like they want to enforce various things. They want to enforce the law. They want to somehow decide over what has already been decided that the President of the United States should be charged with a crime, and I guess somehow they are going to figure out a way to charge the President.

But I do want to remind this Committee and the Chairman that since day one of the 118th Congress, which is now over 17 months, the Majority has wasted the Committee's resources, time, and, quite frankly, the sanity of Members and staff on a sham impeachment investigation that has failed to produce one legitimate piece of evidence of wrongdoing by President Biden. And the "evidence" our Chair and Majority used as its basis to try to impeach the President was the FD-1023 form that has since found to have information from an individual who was fed lies by Russian assets. Now, I know the Chairman and the Majority on this Committee know how to read, and so, in fact, we heard from a Member that she has read through all the rules, so I am not really sure why reading this transcript is so difficult.

But Members and staff on both sides of the aisle have combed through over 3.8 million pages of documents and 80 hours of testimony for nearly 20 witnesses, scouring all of this material to try to find any evidence of wrongdoing by President Biden. But lo and behold, there never was any because there clearly is none, because if there was, our Chairman would have moved forward with a vote to impeach in this Committee.

The American people want the truth, and the truth is that every Member on this Committee has access to the 250 pages of transcript of what the President said during his voluntary sit-down for questioning with the special counsel. But maybe my colleagues on the other side of the aisle simply want the audiobook version of the transcript because they have nothing better to do than to listen to

it on repeat on their train ride to and from Trump's criminal trial and veep-stakes tryouts. By the way, we love the matching red ties.

Mr. RASKIN. Will the gentlelady yield?

Ms. CROCKETT. I will yield.

Mr. RASKIN. Thank you very much. I just wanted to make a point and answer to the distinguished Chairman of the Judiciary Committee, the special counsel in this case, on page 97 says, "The published book is not known to contain classified information." Special counsel was very clear that President Biden did not retain or use classified documents in order to sell his book. And you might not like the conclusions of the special counsel who is a Republican appointed by President Trump, but those were his conclusions, and either you stand by the rule of law, or you do not stand by the rule of law. And all of us have the transcript to read, and all of it bears that out. There was no intention by President Biden to exploit any classified documents. I yield back.

Chairman COMER. The gentlelady's time has expired. The Chair recognizes Mr. LaTurner from Kansas.

Mr. LATURNER. Mr. Chairman, I move the previous question.

Chairman COMER. Motion to move to the previous question.

Mr. RASKIN. I object.

Mr. CLOUD. I second the motion.

Chairman COMER. Motion and second.

It is nondebateable.

Mr. RASKIN. OK.

Chairman COMER. And all those in favor?

Mr. RASKIN. All right. Let us have a recorded vote, if we could, Mr. Chairman.

Chairman COMER. The motion is not debateable. Shall the main question be now put, those in favor of moving the previous question signify by saying aye.

[Chorus of ayes.]

All those opposed signify by saying no.

[Chorus of noes.]

In the opinion Chair, the ayes have it. The previous question is ordered.

Mr. RASKIN. I would like a recorded vote, if I could, Mr. Chairman

Chairman COMER. A recorded vote is ordered. The clerk will call the roll.

The CLERK. Mr. Jordan?

[No response.]

The CLERK. Mr. Turner?

[No response.]

The CLERK. Mr. Gosar?

Mr. GOSAR. Yes.

The CLERK. Mr. Gosar votes yes.

Ms. Foxx?

[No response.]

The CLERK. Mr. Grothman?

Mr. GROTHMAN. Yes.

The CLERK. Mr. Grothman votes yes.

Mr. Cloud?

Mr. CLOUD. Yes.

The CLERK. Mr. Cloud votes yes.  
Mr. Palmer?  
Mr. PALMER. Aye.  
The CLERK. Mr. Palmer votes aye.  
Mr. Higgins?  
[No response.]  
The CLERK. Mr. Sessions?  
Mr. SESSIONS. Aye.  
The CLERK. Mr. Sessions votes aye.  
Mr. Biggs?  
Mr. BIGGS. Aye.  
The CLERK. Mr. Biggs votes aye.  
Ms. Mace?  
Ms. MACE. Aye.  
The CLERK. Ms. Mace votes aye.  
Mr. LaTurner?  
Mr. LATURNER. Aye.  
The CLERK. Mr. LaTurner votes aye.  
Mr. Fallon?  
Mr. FALLON. Aye.  
The CLERK. Mr. Fallon votes aye.  
Mr. Donalds?  
Mr. DONALDS. Yes.  
The CLERK. Mr. Donalds votes yes.  
Mr. Perry?  
Mr. PERRY. Aye.  
The CLERK. Mr. Perry votes aye.  
Mr. Timmons?  
Mr. TIMMONS. Aye.  
The CLERK. Mr. Timmons votes aye.  
Mr. Burchett?  
Mr. BURCHETT. Aye.  
The CLERK. Mr. Burchett votes aye.  
Ms. Greene?  
Ms. GREENE. Aye.  
The CLERK. Ms. Greene votes aye.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. Aye.  
The CLERK. Ms. Boebert votes aye.  
Mr. Fry?  
Mr. FRY. Aye.  
The CLERK. Mr. Fry votes aye.  
Mrs. Luna?  
Mrs. LUNA. Aye.  
The CLERK. Mrs. Luna votes aye.  
Mr. Langworthy?  
Mr. LANGWORTHY. Aye.  
The CLERK. Mr. Langworthy votes aye.  
Mr. Burlison?  
Mr. BURLISON. Aye.  
The CLERK. Mr. Burlison votes aye.  
Mr. Waltz?



[No response.]

The CLERK. Mr. Raskin?

Mr. RASKIN. Mr. Chairman, to be clear, this is a motion on the previous question to cutoff all debate and all amendments? Is that right?

Chairman COMER. That is correct.

Mr. RASKIN. OK. And including the pending amendment or no?

Chairman COMER. The pending amendment.

Mr. RASKIN. So, we would vote on the pending amendment, or we would not?

Chairman COMER. Yes. Yes, we will vote on the pending amendment.

Mr. RASKIN. My vote is no. I have never seen this done in this Committee in 8 years by either the Democrats or the Republicans. I vote no on the motion on the previous question. No.

The CLERK. Mr. Raskin votes no.

Ms. Norton?

Ms. NORTON. No.

The CLERK. Ms. Norton votes no.

Mr. Lynch?

Mr. LYNCH. No.

The CLERK. Mr. Lynch votes no.

Mr. Connolly?

Mr. CONNOLLY. Nay.

The CLERK. Mr. Connolly votes nay.

Mr. Krishnamoorthi?

[No response.]

The CLERK. Mr. Khanna?

[No response.]

The CLERK. Mr. Mfume?

Mr. MFUME. No.

The CLERK. Mr. Mfume votes no.

Ms. Ocasio-Cortez?

Ms. OCASIO-CORTEZ. No.

The CLERK. Ms. Ocasio-Cortez votes no.

Ms. Porter?

Ms. PORTER. No.

The CLERK. Ms. Porter votes no.

Ms. Bush?

[No response.]

The CLERK. Ms. Brown?

Ms. BROWN. No.

The CLERK. Ms. Brown votes no.

Ms. Stansbury?

Ms. STANSBURY. No.

The CLERK. Ms. Stansbury votes no.

Mr. Garcia?

Mr. GARCIA. No.

The CLERK. Mr. Garcia votes no.

Mr. Frost?

Mr. FROST. No.

The CLERK. Mr. Frost votes no.

Ms. Lee?

Ms. LEE. No.

The CLERK. Ms. Lee votes no.  
 Mr. Casar?  
 Mr. CASAR. No.  
 The CLERK. Mr. Casar votes no.  
 Ms. Crockett?  
 Ms. CROCKETT. No.  
 The CLERK. Ms. Crockett votes no.  
 Mr. Goldman?  
 Mr. GOLDMAN. No.  
 The CLERK. Mr. Goldman votes no.  
 Mr. Moskowitz?  
 Mr. MOSKOWITZ. No.  
 The CLERK. Mr. Moskowitz votes no.  
 Ms. Tlaib?  
 Ms. TLAIB. No.  
 The CLERK. Ms. Tlaib votes no.  
 Ms. Pressley?  
 Ms. PRESSLEY. No.  
 The CLERK. Ms. Pressley votes no.  
 Mr. Chairman?  
 Chairman COMER. Yes.  
 The CLERK. Mr. Chairman votes yes.  
 Chairman COMER. How is Mr. Waltz recorded?  
 The CLERK. Mr. Waltz is not recorded.  
 Mr. WALTZ. Yes.  
 The CLERK. Mr. Waltz votes yes.  
 Chairman COMER. How is Dr. Foxx recorded?  
 The CLERK. Ms. Foxx is not recorded.  
 Ms. FOXX. Foxx votes yes.  
 The CLERK. Ms. Foxx votes yes.  
 Chairman COMER. And how is Mr. Krishnamoorthi recorded?  
 The CLERK. Mr. Krishnamoorthi is not recorded.  
 Mr. KRISHNAMOORTHI. No.  
 The CLERK. Mr. Krishnamoorthi votes no.  
 Chairman COMER. How is Mr. Higgins recorded?  
 The CLERK. Mr. Higgins is not recorded.  
 Mr. HIGGINS. I vote yes.  
 The CLERK. Mr. Higgins votes yes.  
 Chairman COMER. Have all Members been recorded?  
 Mr. RASKIN. Mr. Chairman, would you just explain why you invoked that because that has not happened in 70 years in this Committee.  
 Chairman COMER. Will the clerk please report?  
 The CLERK. Mr. Chairman, on this vote, the ayes are 23. The nays are 19.  
 Chairman COMER. The move to the previous question passes.  
 The question is now on the pending amendment from Mr. Goldman.  
 All those in favor signify by saying aye.  
 [Chorus of ayes.]  
 All those opposed signify by saying no.  
 [Chorus of noes.]  
 In the opinion of the Chair, the noes have it—  
 Mr. RASKIN. Recorded vote.

Chairman COMER [continuing]. And the amendment is not agreed to.

Mr. RASKIN. Request for a vote.

Chairman COMER. A request for a recorded vote has been requested.

Will the clerk please call the roll? This is on the Goldman Amendment.

The CLERK. Mr. Jordan?

[No response.]

The CLERK. Mr. Turner?

[No response.]

The CLERK. Mr. Gosar?

Mr. GOSAR. No.

The CLERK. Mr. Gosar votes no.

Ms. Foxx?

Ms. FOXX. No.

The CLERK. Ms. Foxx votes no.

Mr. Grothman?

Mr. GROTHMAN. No.

The CLERK. Mr. Grothman votes no.

Mr. Cloud?

Mr. CLOUD. No.

The CLERK. Mr. Cloud votes no.

Mr. Palmer?

Mr. PALMER. No.

The CLERK. Mr. Palmer votes nay

Mr. Higgins?

Mr. HIGGINS. No.

The CLERK. Mr. Higgins votes no.

Mr. Sessions?

Mr. SESSIONS. No.

The CLERK. Mr. Sessions votes no.

Mr. Biggs?

Mr. BIGGS. No.

The CLERK. Mr. Biggs votes no.

Ms. Mace?

Ms. MACE. No.

The CLERK. Ms. Mace votes no.

Mr. LaTurner?

Mr. LATURNER. No.

The CLERK. Mr. LaTurner votes no.

Mr. Fallon?

Mr. FALLON. No.

The CLERK. Mr. Fallon votes no.

Mr. Donalds?

Mr. DONALDS. No.

The CLERK. Mr. Donalds votes no.

Mr. Perry?

Mr. PERRY. Nay.

The CLERK. Mr. Perry votes nay.

Mr. Timmons?

Mr. TIMMONS. No.

The CLERK. Mr. Timmons votes no.

Mr. Burchett?

Chairman COMER. Whose name were you on?  
The CLERK. Mr. Burchett.  
Chairman COMER. Mr. Burchett.  
Mr. BURCHETT. No.  
The CLERK. Mr. Burchett votes no.  
Ms. Greene?  
Ms. GREENE. No.  
The CLERK. Ms. Greene votes no.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. No.  
The CLERK. Ms. Boebert votes no.  
Mr. Fry?  
Mr. FRY. No.  
The CLERK. Mr. Fry votes no.  
Mrs. Luna?  
Mrs. LUNA. No.  
The CLERK. Mrs. Luna votes no.  
Mr. Langworthy?  
Mr. LANGWORTHY. No.  
The CLERK. Mr. Langworthy votes no.  
Mr. Burlison?  
Mr. BURLISON. No.  
The CLERK. Mr. Burlison votes no.  
Mr. Waltz?  
Mr. WALTZ. No.  
The CLERK. Mr. Waltz votes no.  
Mr. Raskin?  
Mr. RASKIN. Aye.  
The CLERK. Mr. Raskin votes aye.  
Ms. Norton?  
Ms. NORTON. Yes.  
The CLERK. Ms. Norton votes yes.  
Mr. Lynch?  
Mr. LYNCH. Aye.  
The CLERK. Mr. Lynch votes aye.  
Mr. Connolly?  
Mr. CONNOLLY. Aye.  
The CLERK. Mr. Connolly votes aye.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHY. Aye.  
The CLERK. Mr. Krishnamoorthi votes aye.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. Aye.  
The CLERK. Mr. Mfume votes aye.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. Aye.  
The CLERK. Ms. Ocasio-Cortez votes aye.  
Ms. Porter?  
Ms. PORTER. Aye.  
The CLERK. Ms. Porter votes aye.

Ms. Bush?  
 [No response.]  
 The CLERK. Ms. Brown?  
 Ms. BROWN. Yes.  
 The CLERK. Ms. Brown votes yes.  
 Ms. Stansbury?  
 Ms. STANSBURY. Yes.  
 The CLERK. Ms. Stansbury votes yes.  
 Mr. Garcia?  
 Mr. GARCIA. Yes.  
 The CLERK. Mr. Garcia votes yes.  
 Mr. Frost?  
 Mr. FROST. Yes.  
 The CLERK. Mr. Frost votes yes.  
 Ms. Lee?  
 Ms. LEE. Yes.  
 The CLERK. Ms. Lee votes yes.  
 Mr. Casar?  
 Mr. CASAR. Yes.  
 The CLERK. Mr. Casar votes yes.  
 Ms. Crockett?  
 Ms. CROCKETT. Yes.  
 The CLERK. Ms. Crockett votes yes.  
 Mr. Goldman?  
 Mr. GOLDMAN. Yea.  
 The CLERK. Mr. Goldman votes yea.  
 Mr. Moskowitz?  
 Mr. MOSKOWITZ. Yes.  
 The CLERK. Mr. Moskowitz votes yes.  
 Ms. Tlaib?  
 Ms. TLAIB. Yes.  
 The CLERK. Ms. Tlaib votes yes.  
 Ms. Pressley?  
 Ms. PRESSLEY. Yes.  
 The CLERK. Ms. Pressley votes yes.  
 Mr. Chairman?  
 Chairman COMER. No.  
 The CLERK. Mr. Chairman votes no.  
 Chairman COMER. Has Mr. Perry been recorded?  
 The CLERK. Mr. Perry is recorded as no.  
 Chairman COMER. Have any other Members not been recorded?  
 [No response.]  
 Chairman COMER. Seeing none, will the clerk report the tally?  
 The CLERK. Mr. Chairman, on this vote, the ayes are 19. The  
 nays are 23.  
 Chairman COMER. The Goldman Amendment fails.  
 The question is now on the amendment in the nature of a sub-  
 stitute to the Report.  
 All those in favor signify by saying aye.  
 [Chorus of ayes.]  
 All those opposed signify by saying no.  
 [Chorus of noes.]  
 In the opinion of the Chair, the ayes have it. The amendment in  
 the nature of a substitute to the report is agreed.

Mr. RASKIN. Recorded vote.

Chairman COMER. On the ANS?

Mr. RASKIN. Yes.

Chairman COMER. OK.

Mr. RASKIN. We are not even allowed to bring in any other amendments.

Chairman COMER. Well, we have had deals and you all——

Mr. RASKIN. It has not happened in 70 years, Mr. Chairman.

Chairman COMER. You have not——

Mr. RASKIN. Seventy years.

Chairman COMER. We have tried to negotiate with you, and you have not done it.

A recorded vote is ordered on the ANS. Will the clerk please report?

The CLERK. Mr. Jordan?

[No response.]

The CLERK. Mr. Turner?

[No response.]

The CLERK. Mr. Gosar?

Mr. GOSAR. Yes.

The CLERK. Mr. Gosar votes yes.

Ms. Foxx?

Ms. FOXX. Yes.

The CLERK. Ms. Foxx votes yes.

Mr. Grothman?

Mr. GROTHMAN. Yes.

The CLERK. Mr. Grothman votes yes.

Mr. Cloud?

Mr. CLOUD. Yes.

The CLERK. Mr. Cloud votes yes.

Mr. Palmer?

Mr. PALMER. Aye.

The CLERK. Mr. Palmer votes aye.

Mr. Higgins?

Mr. HIGGINS. Yes.

The CLERK. Mr. Higgins votes yes.

Mr. Sessions?

Mr. SESSIONS. Aye.

The CLERK. Mr. Sessions votes aye.

Mr. Biggs?

Mr. BIGGS. Yes.

The CLERK. Mr. Biggs votes yes.

Ms. Mace?

Ms. MACE. Yes.

The CLERK. Ms. Mace votes yes.

Mr. LaTurner?

Mr. LATURNER. Yes.

The CLERK. Mr. LaTurner votes yes.

Mr. Fallon?

Mr. FALLON. Yes.

The CLERK. Mr. Fallon votes yes.

Mr. Donalds?

Mr. DONALDS. Yes.

The CLERK. Mr. Donalds votes yes.

Mr. Perry?  
Mr. PERRY. Yes.  
The CLERK. Mr. Perry votes yes.  
Mr. Timmons?  
Mr. TIMMONS. Yes.  
The CLERK. Mr. Timmons votes yes.  
Mr. Burchett?  
Mr. BURCHETT. Aye.  
The CLERK. Mr. Burchett votes aye.  
Ms. Greene?  
Ms. GREENE. Aye.  
The CLERK. Ms. Greene votes aye.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. Aye.  
The CLERK. Ms. Boebert votes aye.  
Mr. Fry?  
Mr. FRY. Aye.  
The CLERK. Mr. Fry votes aye.  
Mrs. Luna?  
Mrs. LUNA. Aye.  
The CLERK. Mrs. Luna votes aye.  
Mr. Langworthy?  
Mr. LANGWORTHY. Aye.  
The CLERK. Mr. Langworthy votes aye.  
Mr. Burlison?  
Mr. BURLISON. Aye.  
The CLERK. Mr. Burlison votes aye.  
Mr. Waltz?  
Mr. WALTZ. Aye.  
The CLERK. Mr. Waltz votes aye.  
Mr. Raskin?  
Mr. RASKIN. No.  
The CLERK. Mr. Raskin votes no.  
Ms. Norton?  
Ms. NORTON. No.  
The CLERK. Ms. Norton votes no.  
Mr. Lynch?  
Mr. LYNCH. No.  
The CLERK. Mr. Lynch votes no.  
Mr. Connolly?  
Mr. CONNOLLY. Nay.  
The CLERK. Mr. Connolly votes nay.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHY. Nay.  
The CLERK. Mr. Krishnamoorthi votes nay.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. No.  
The CLERK. Mr. Mfume votes no.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. No.

The CLERK. Ms. Ocasio-Cortez votes no.  
 Ms. Porter?  
 Ms. PORTER. No.  
 The CLERK. Ms. Porter votes no.  
 Ms. Bush?  
 [No response.]  
 The CLERK. Ms. Brown?  
 Ms. BROWN. No.  
 The CLERK. Ms. Brown votes no.  
 Ms. Stansbury?  
 Ms. STANSBURY. No.  
 The CLERK. Ms. Stansbury votes no.  
 Mr. Garcia?  
 Mr. GARCIA. No.  
 The CLERK. Mr. Garcia votes no.  
 Mr. Frost?  
 Mr. FROST. No.  
 The CLERK. Mr. Frost votes no.  
 Ms. Lee?  
 Ms. LEE. No.  
 The CLERK. Ms. Lee votes no.  
 Mr. Casar?  
 Mr. CASAR. No.  
 The CLERK. Mr. Casar votes no.  
 Ms. Crockett?  
 Ms. CROCKETT. No.  
 The CLERK. Ms. Crockett votes no.  
 Mr. Goldman?  
 Mr. GOLDMAN. No.  
 The CLERK. Mr. Goldman votes no.  
 Mr. Moskowitz?  
 Mr. MOSKOWITZ. No.  
 The CLERK. Mr. Moskowitz votes no.  
 Ms. Tlaib?  
 Ms. TLAIB. No.  
 The CLERK. Ms. Tlaib votes no.  
 Ms. Pressley?  
 Ms. PRESSLEY. No.  
 The CLERK. Ms. Pressley votes no.  
 Mr. Chairman?  
 Chairman COMER. Yes.  
 The CLERK. Mr. Chairman votes yes.  
 Chairman COMER. Have any Members failed to vote?  
 [No response.]  
 Chairman COMER. Seeing none, will the clerk please report the tally?  
 The CLERK. Mr. Chairman, on this vote, the ayes are 23. The nays are 19.  
 Chairman COMER. The ayes have it. The motion is passed.  
 The question is now on favorably reporting the report. Members will record their vote—  
 OK. The clerk will call the roll. This is the last vote.  
 The CLERK. Mr. Jordan?  
 Mr. JORDAN. Yes.



The CLERK. Mr. Jordan votes yes.  
Mr. Turner?  
[No response.]  
The CLERK. Mr. Gosar?  
Mr. GOSAR. Yes.  
The CLERK. Mr. Gosar votes yes.  
Ms. Foxx?  
Ms. FOXX. Yes.  
The CLERK. Ms. Foxx votes yes.  
Mr. Grothman?  
Mr. GROTHMAN. Yes.  
The CLERK. Mr. Grothman votes yes.  
Mr. Cloud?  
Mr. CLOUD. Yes.  
The CLERK. Mr. Cloud votes yes.  
Mr. Palmer?  
Mr. PALMER. Aye.  
The CLERK. Mr. Palmer votes aye.  
Mr. Higgins?  
Mr. HIGGINS. Yes.  
The CLERK. Mr. Higgins votes yes.  
Mr. Sessions?  
Mr. SESSIONS. Yes.  
The CLERK. Mr. Sessions votes yes.  
Mr. Biggs?  
[No response.]  
The CLERK. Ms. Mace?  
[No response.]  
The CLERK. I am sorry. Mr. Biggs?  
[No response.]  
The CLERK. Mr. Biggs?  
Mr. BIGGS. Yes.  
The CLERK. Mr. Biggs votes yes.  
Ms. Mace?  
Ms. MACE. Yes.  
The CLERK. Ms. Mace votes yes.  
Mr. LaTurner?  
Mr. LATURNER. Yes.  
The CLERK. Mr. LaTurner votes yes.  
Mr. Fallon?  
Mr. FALLON. Aye.  
The CLERK. Mr. Fallon votes aye.  
Mr. Donalds?  
Mr. DONALDS. Yes.  
The CLERK. Mr. Donalds votes yes.  
Mr. Perry?  
Mr. PERRY. Yes.  
The CLERK. Mr. Perry votes yes.  
Mr. Timmons?  
Mr. TIMMONS. Yes.  
The CLERK. Mr. Timmons votes yes.  
Mr. Burchett?  
Mr. BURCHETT. Yes.  
The CLERK. Mr. Burchett votes yes.

Ms. Greene?  
Ms. GREENE. Yes.  
The CLERK. Ms. Greene votes yes.  
Mrs. McClain?  
[No response.]  
The CLERK. Ms. Boebert?  
Ms. BOEBERT. Yes.  
The CLERK. Ms. Boebert votes yes.  
Mr. Fry?  
[No response.]  
The CLERK. Mr. Fry?  
Mr. FRY. Yes.  
The CLERK. Mr. Fry votes yes.  
Mrs. Luna?  
[No response.]  
The CLERK. Mrs. Luna?  
Mrs. LUNA. Yes.  
The CLERK. Mrs. Luna votes yes.  
Mr. Langworthy?  
Mr. LANGWORTHY. Yes.  
The CLERK. Mr. Langworthy votes yes.  
Mr. Burlison?  
Mr. BURLISON. Yes.  
The CLERK. Mr. Burlison votes yes.  
Mr. Waltz?  
Mr. WALTZ. Yes.  
The CLERK. Mr. Waltz votes yes.  
Mr. Raskin?  
Mr. RASKIN. No.  
The CLERK. Mr. Raskin votes no.  
Ms. Norton?  
Ms. NORTON. No.  
The CLERK. Ms. Norton votes no.  
Mr. Lynch?  
Mr. LYNCH. No.  
The CLERK. Mr. Lynch votes no.  
Mr. Connolly?  
Mr. CONNOLLY. Nay.  
The CLERK. Mr. Connolly votes nay.  
Mr. Krishnamoorthi?  
Mr. KRISHNAMOORTHY. No.  
The CLERK. Mr. Krishnamoorthi votes no.  
Mr. Khanna?  
[No response.]  
The CLERK. Mr. Mfume?  
Mr. MFUME. No.  
The CLERK. Mr. Mfume votes no.  
Ms. Ocasio-Cortez?  
Ms. OCASIO-CORTEZ. No.  
The CLERK. Ms. Ocasio-Cortez votes no.  
Ms. Porter?  
Ms. PORTER. No.  
The CLERK. Ms. Porter votes no.  
Ms. Bush?

Ms. BUSH. No.  
The CLERK. Ms. Bush votes no.  
Ms. Brown?  
Ms. BROWN. No.  
The CLERK. Ms. Brown votes no.  
Ms. Stansbury?  
Ms. STANSBURY. No.  
The CLERK. Ms. Stansbury votes no.  
Mr. Garcia?  
Mr. GARCIA. No.  
The CLERK. Mr. Garcia votes no.  
Mr. Frost?  
Mr. FROST. No.  
The CLERK. Mr. Frost votes no.  
Ms. Lee?  
Ms. LEE. No.  
The CLERK. Ms. Lee votes no.  
Mr. Casar?  
Mr. CASAR. No.  
The CLERK. Mr. Casar votes no.  
Ms. Crockett?  
Ms. CROCKETT. No.  
The CLERK. Ms. Crockett votes no.  
Mr. Goldman?  
Mr. GOLDMAN. No.  
Chairman COMER. The Committee will be in order.  
The CLERK. Mr. Goldman votes no.  
Mr. Moskowitz?  
Mr. MOSKOWITZ. No.  
The CLERK. Mr. Moskowitz votes no.  
Ms. Tlaib?  
Ms. TLAIB. No.  
The CLERK. Ms. Tlaib votes no.  
Ms. Pressley?  
Ms. PRESSLEY. No.  
The CLERK. Ms. Pressley votes no.  
Mr. Chairman?  
Chairman COMER. Yes.  
The CLERK. Mr. Chairman votes yes.  
Chairman COMER. Have all Member been recorded?  
[No response.]  
Chairman COMER. Will the clerk please report the tally?  
The CLERK. Mr. Chairman, on this vote, the ayes are 24. The nays are 20.  
Chairman COMER. The motion passes.  
Pursuant to this vote, the Committee hereby adopts the Report recommending that the House of Representatives find Attorney General Merrick Garland in contempt of Congress for refusal to comply with a subpoena duly issued by this Committee. We will move the Report to the full House.  
Without objection, the motion to reconsider is laid on the table.  
Mr. RASKIN. Mr. Chairman?  
Chairman COMER. Pursuant to House Rule XI——  
Mr. RASKIN. Mr. Chairman?

Chairman COMER [continuing]. Clause 2, Committee Members shall have the right to file with the clerk of the Committee supplemental, additional, Minority, and dissenting views within 2 days.

Without objection, so ordered.

Additionally, the staff is authorized to make necessary technical and conforming changes to the Report ordered reported today, subject to the approval of the Minority.

Without objection, so ordered.

If there is no further business before the Committee, without objection, the Committee stands adjourned.

[Whereupon, at 11:10 p.m., the Committee was adjourned.]

